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**1996**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

Volume 20, Issue 10 — March 08, 1996

Pages 4008 -4090

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published by  
**George H. Ryan**  
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## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Proposed Action:  
310.230 Amended

4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code and (20 ILCS 415/8 and 8a).

5) A Complete Description of the Subjects and Issues Involved: The filing of an emergency amendment to Section 310.230, Part-Time Daily or Hourly Special Services Rate, upgrading the Educator's maximum daily rate from \$60 to \$85 is immediately necessary to provide a rate that will allow the Department of Rehabilitation Services to recruit Educators for irregular part-time work in the absences of full-time Educators. The Department of Rehabilitation Services has an immediate need for these substitutes and the rate change is necessary to attract qualified staff for fill-in work.

Also, the abolished Technical Advisor IV title is being deleted from Section 310.230.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, IL 62706  
(217) 782-5601

12) Initial Regulatory Flexibility Analysis:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The amendment to upgrade the Educator's maximum daily rate in Section 310.230 was not projected in any Regulatory Agenda. A request from the agency had not been received before January 1996.

The full text of the Proposed Amendment begins on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
 POSITION CLASSIFICATIONS  
 CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
 PAY PLAN

## SUBPART A: NARRATIVE

Section  
 310.20 Policy and Responsibilities  
 310.30 Jurisdiction  
 310.40 Pay Schedules  
 310.50 Definitions  
 310.60 Conversion of Base Salary to Pay Period Units  
 310.70 Conversion of Base Salary to Daily or Hourly Equivalents  
 310.80 Increases in Pay  
 310.90 Decreases in Pay  
 310.100 Other Pay Provisions  
 310.110 Implementation of Pay Plan Changes for Fiscal Year 1996  
 310.120 Interpretation and Application of Pay Plan  
 310.130 Effective Date  
 310.140 Reinstitution of Within Grade Salary Increases  
 310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

## SUBPART B: SCHEDULE OF RATES

Section  
 310.205 Introduction  
 310.210 Prevailing Rate  
 310.220 Negotiated Rate  
 310.230 Part-Time Daily or Hourly Special Services Rate  
 310.240 Hourly Rate  
 310.250 Member, Patient and Inmate Rate  
 310.260 Trainee Rate  
 310.270 Legislated and Contracted Rate  
 310.280 Designated Rate  
 310.290 Out-of-State or Foreign Service Rate  
 310.300 Educator Schedule for RC-063 and HR-010  
 310.310 Physician Specialist Rate  
 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
 310.330 Excluded Classes Rate (Repealed)

## SUBPART C: MERIT COMPENSATION SYSTEM

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

Section  
 310.410 Jurisdiction  
 310.420 Objectives  
 310.430 Responsibilities  
 310.440 Merit Compensation Salary Schedule  
 310.450 Procedures for Determining Annual Merit Increases  
 310.455 Intermittent Merit Increase  
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 310.500 Definitions  
 310.510 Conversion of Base Salary to Pay Period Units  
 310.520 Conversion of Base Salary to Daily or Hourly Equivalents  
 310.530 Implementation  
 310.540 Annual Merit Increase Guidechart for Fiscal Year 1995  
 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

## APPENDIX A Negotiated Rates of Pay

TABLE A HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)  
 TABLE AA NR-916 (Department of Natural Resources, Teamsters)  
 TABLE B HR-200 (Department of Labor - Chicago, Illinois - SEIU)  
 TABLE C RC-069 (Firefighters, AFSCME)  
 TABLE D HR-001 (Teamsters Local #726)  
 TABLE E RC-020 (Teamsters Local #330)  
 TABLE F RC-019 (Teamsters Local #25)  
 TABLE G RC-045 (Automotive Mechanics, IFPE)  
 TABLE H RC-006 (Corrections Employees, AFSCME)  
 TABLE I RC-009 (Institutional Employees, AFSCME)  
 TABLE J RC-014 (Clerical Employees, AFSCME)  
 TABLE K RC-023 (Registered Nurses, INA)  
 TABLE L RC-008 (Boilermakers)  
 TABLE M RC-110 (Conservation Police Lodge)  
 TABLE N RC-010 (Professional Legal Unit, AFSCME)  
 TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)  
 TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)  
 TABLE Q RC-033 (Meat Inspectors, IFPE)  
 TABLE R RC-042 (Residual Maintenance Workers, AFSCME)  
 TABLE S HR-012 (Fair Employment Practices Employees, SEIU)  
 TABLE T HR-010 (Teachers of Deaf, IFT)  
 TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)  
 TABLE V CU-500 (Corrections, Meet and Confer Employees)  
 TABLE W RC-062 (Technical Employees, AFSCME)



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1996
APPENDIX C	Medical Administrator Rates for Fiscal Year 1995
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APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Public Service Administrator Class Series Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4388, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; emergency amendment at 12 Ill. Reg. 20584, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; emergency amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; emergency amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854, effective November 13, 1990; emergency amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

**Section 310.230 Part-Time Daily or Hourly Special Services Rate**

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	11.00 to 14.08 (hourly)
Apiary Inspector	83 to 106 (daily)
Building/Grounds Laborer	32 to 50 (daily)
Building/Grounds Lead I	4.25 to 6.00 (hourly)
Building/Grounds Lead II	4.25 to 7.00 (hourly)
Building/Grounds Maintenance Worker	5.25 to 8.00 (hourly)
Chaplain I	5.00 to 6.00 (hourly)
Chemist I	32 to 70 (daily)
Conservation/Historic Preservation Worker	32 to 45 (daily)
Conservation/Historic Preservation Worker (2nd season -- site interpretation)	4.50 to 6.50 (hourly)
Conservation/Historic Preservation Worker (3rd season -- site interpretation)	4.64 to 6.50 (hourly)
Dentist I	4.78 to 6.50 (hourly)
Dentist II	70 to 150 (daily)
Educator	100 to 185 (daily)
Educator Aide	25 to 85 60 (daily)
Guard II	32 to 35 (daily)
Guard III	32 to 35 (daily)
Hearing and Speech Coordinator	67 to 84 (daily)
Hearings Referee	75 to 96 (daily)
Janitor I	15 to 30 (hourly)
Janitor II	75 to 200 (daily)
Labor Maintenance Lead Worker	4.73 to 5.30 (hourly)
Labor Relations Investigator	5.00 to 6.00 (hourly)
Laborer (Maintenance)	35 to 70 (daily)
Maintenance Worker	4.25 to 5.70 (hourly)
Occupational Therapist	4.25 to 5.00 (hourly)
Program Coordinator	40 to 160 (daily)
Office Aide	8.12 to 10.40 (hourly)
	60 to 78 (daily)
	8.12 to 10.71 (hourly)
	Eff. FY '96:
	Eff. FY '97:



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

Office Assistant	Eff. FY '96:	60 to 80 (daily)
		9.16 to 12.00 (hourly)
	Eff. FY '97:	68 to 90 (daily)
		9.16 to 12.36 (hourly)
Office Associate	Eff. FY '96:	68 to 93 (daily)
		9.80 to 13.05 (hourly)
	Eff. FY '97:	73 to 98 (daily)
		9.80 to 13.44 (hourly)
Office Clerk	Eff. FY '96:	73 to 101 (daily)
		8.58 to 11.15 (hourly)
	Eff. FY '97:	64 to 84 (daily)
		8.58 to 11.19 (hourly)
Optometrist		64 to 86 (daily)
		15 to 35 (hourly)
		50 to 160 (daily)
Physician		100 to 300 (daily)
Physician Specialist (A)		20 to 60 (hourly)
Physician-Specialist-(A)		100 to 325 (daily)
Physician Specialist (B)		20 to 70 (hourly)
Physician-Specialist-(B)		100 to 350 (daily)
Physician Specialist (C)		20 to 75 (hourly)
Physician-Specialist-(C)		100 to 360 (daily)
Physician Specialist (D)		20 to 85 (hourly)
Physician-Specialist-(D)		100 to 370 (daily)
Podiatrist		50 to 125 (daily)
Psychologist I		35 to 80 (daily)
Psychologist II		40 to 125 (daily)
Psychologist III		40 to 150 (daily)
Recreation Worker I		5.33 (hourly)
		32 to 40 (daily)
Registered Nurse I		39 to 54 (daily)
Registered Nurse I		41 to 56 (daily)
(2nd or 3rd shift)		
Registered Nurse I (Cook County)		43 to 58 (daily)
Registered Nurse I (Cook County -		44 to 59 (daily)
2nd or 3rd shift)		
Registered Nurse II		43 to 58 (daily)
Registered Nurse II		44 to 59 (daily)
(2nd or 3rd shift)		
Registered Nurse II (Cook County)		45 to 60 (daily)
Registered Nurse II (Cook County -		47 to 62 (daily)
2nd or 3rd shift)		
Social Worker II		35 to 75 (daily)
Social Worker III		35 to 80 (daily)
Student Worker		4.25 to 8.00 (hourly)
Tax Examiner		9.69 to 12.21 (hourly)
		73 to 92 (daily)
Technical Advisor II		32 to 35 (hourly)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

Technical Advisor III 32 to 60 (hourly)  
~~Technical-Advisor-IV~~ 59-to-86-(hourly)  
 Veterinarian II 95 to 130 (daily)

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Secular Textbook Loan
- 2) Code Citation: 23 Ill. Adm. Code 350
- 3) Section Numbers:

<u>Proposed Action:</u>
350.10 Amendment
350.15 Amendment
350.25 Amendment
- 4) Statutory Authority: 105 ILCS 5/18-17 (see P.A. 89-46, effective June 23, 1995).
- 5) A Complete Description of the Subjects and Issues Involved: P.A. 89-46 added "instructional computer software" as an allowable use of textbook funds and deleted the requirement that a copy of materials purchased under the program be made available to each pupil in a given class or group. As a result of these changes, the process for administering the program and distributing the funds is being amended. Program participants will no longer receive funding based on the number of textbooks they wish to purchase. Rather, funds will be distributed on a per-pupil basis (see Section 350.15(e)).

In addition, a change is being proposed to Section 350.15(b) to clarify the process by which a student or his or her parents may request textbooks. This change eliminates language that required the request form contain the location of the school and date of the student's transfer or graduation. This change will simplify the process for parents.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl  
Agency Rules Coordinator

## STATE BOARD OF EDUCATION

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Illinois State Board of Education  
100 North First Street, S-284  
Springfield, IL 62777-0001  
(217) 782-0541

- 12) Initial Regulatory Flexibility Analysis: These rules will not affect small businesses.
  - 13) Regulatory Agenda on which this rulemaking was summarized: January 1996
- The full text of the proposed rule(s) begins on the next page:



## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER 1: STATE BOARD OF EDUCATION

## SUBCHAPTER j: TEXTBOOKS

## PART 350

## SECULAR TEXTBOOK LOAN

## Section

350.10 Definition of Terms

350.15 Acquisition Procedures

350.20 Administrative Practices (Repealed)

350.25 Disposition Procedures

350.30 Fiscal Procedures (Repealed)

AUTHORITY: Implementing and authorized by Section 18-17 of the School Code [105 ILCS 5/18-17].

SOURCE: Adopted September 27, 1976; amended at 2 Ill. Reg. 27, p. 163, effective June 27, 1978; amended at 4 Ill. Reg. 37, p. 770, effective September 6, 1980; codified at 7 Ill. Reg. 13870; amended at 8 Ill. Reg. 2462, effective February 15, 1984; amended at 15 Ill. Reg. 17597, effective November 20, 1991; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 350.10 Definition of Terms

"Student" means any student in this State who is enrolled in grades kindergarten through 12 at a public school or at a school other than a public school which is in compliance with the compulsory attendance laws of this State and Title VI of the Civil Rights Act of 1964. (Section 18-17 of the School Code [105 ILCS 5/18-17] (see P.A. 89-46, effective June 23, 1995))

"Nonpublic School" means a school other than a public school which is in compliance with the compulsory attendance laws of this State and Title VI of the Civil Rights Act of 1964. (Section 18-17 of the School Code)

"Parent" means a parent or guardian of a child enrolled in a public or nonpublic school.

"School Administrator" means the superintendent of a school district or the chief administrative officer of a nonpublic school.

"School District" means a public school district in the State of Illinois.

"Secular Textbook" means any book or book substitute which a pupil

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uses as a text or text substitute in a particular class or program. It shall include ~~is limited to~~ books, reusable workbooks, ~~and~~ manuals, whether bound or in loose-leaf form, and instructional computer software intended as a principal source of study material for a given class or group of students, ~~a copy of which is expected to be available for each pupil in such class or group.~~ (Section 18-17 of the School Code)

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 350.15 Acquisition Procedures

a) Students shall not be assessed a fee for any textbook or book substitute provided under the Secular Textbook Loan Program.

b) Public and nonpublic schools registered with the State Board of Education shall provide parents with a brief written explanation of the textbook loan program in a student handbook, newsletter, flyer or by similar means. A parent or student may then request the loan of a secular textbook(s) by submitting an ~~through completion of an individual student request form at the public or nonpublic school where the student is in attendance~~ ~~the Illinois State Board of Education does not provide individual student request forms~~ ~~however, said individual request that shall contain the following language: "I hereby request the loan of secular textbooks in accordance with Section 18-17 of the School Code. I understand that this request will remain valid so long as my son/daughter is enrolled in (name of school) and that I may at any time withdraw this request." The form also shall contain the name and location of the school and the date of the student's transfer or graduation~~ ~~and shall be signed by the person (student/parent) making the request.~~

c) Requested textbooks shall be those which have been adopted for use in the district and which are available from those companies that are bonded through the State Board of Education ~~listed in the Illinois Textbook Loan Program publication.~~ The State Board of Education each fiscal year shall provide districts with the list of companies from which materials may be purchased ~~revises this publication annually to update the list of textbooks which are available under the textbook loan program~~ ~~textbook publishers shall provide the State Board of Education with any new listing or changes in their listings by July 15 of each year~~ ~~No listing or changes in listings submitted after September 30 will be accepted for publication in the Illinois Textbook Loan Program publication.~~

d) The State Board of Education shall distribute the ~~its~~ Textbook Request Forms (to be completed by schools) and the list of bonded companies ~~Illinois Textbook Loan Program publication to the Regional Offices of Education and to each school district and nonpublic school located in Cook County Superintendents in January of each year.~~ This information

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shall then be distributed by the Regional Superintendents of Schools to each public and nonpublic school in their respective educational service regions.

e) In January of each year, the State Board of Education will identify the grade levels to be funded and calculate the per-pupil allocation. School administrators will be notified in writing as to the total amount available to the students of the district or nonpublic school to be used for the grade levels identified for funding. The per-pupil allocation will be based upon the total amount of funds appropriated for the program and the total statewide public and nonpublic school enrollment, as reflected in the Fall Enrollment and Housing Report for the preceding year.

f) The Request Forms textbook requests shall be compiled by the school administrator, and the list--on--the--textbook--Request--Form--the request--for--textbooks--for--each--school--shall--list--selections--numbered in--descending--order--of--priority--for--each--grade--level--the--school administrator's signature on the textbook Request Form shall certify compliance with Section 18-17 of the School Code and this Part, as well as with Article X, Section 3, of the Illinois Constitution, which provides in pertinent part that no funds may be used to help support or sustain any institution controlled by any church or sectarian denomination, and that the students are enrolled in the schools--and grades--indicated on the form--the number--of--textbooks--requested shall not exceed one book per student.

g) Each school district and nonpublic school shall submit to the Regional Superintendent on or before March 15 its completed textbook Request Form. Schools located within the City of Chicago shall submit their Request Forms directly to the State Board of Education, Textbook Loan Program, 100 North First Street, Springfield, Illinois 62777-0001. The Regional Superintendent shall review and approve all textbook Request Forms and forward them to the State Board of Education on or before by March 25 it upon determining that the information and signature required on the Request Form have been provided.

h) the number of individual textbook requests--and--the applicable grade level--enrollment--itated on each form--are the same--and the information--and--signature--required in subsection--(f)--have been provided.

i) Forms received after the deadline that--are--not--approved shall be returned to the school which--submitted--the--form--along--with--an explanation--of--why--the--form--was--not--approved--the--Regional Superintendent--shall--retain--a--copy--of--approved--forms--for--three--years.

j) textbook requests will be funded on the following basis:  
if--in--the--previous--year--a--designated--grade--level--was--not completely--funded--then--funds--will--first--be--used--to--fit--textbook requests--from--all--schools--and--school--districts--that--did--not receive--textbooks--for--that--grade--level--and

2) Textbook--requests--then--will--be--funded--statewide--for--each

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succeeding grade level--(k--12)--to--the extent that--appropriations are available.

i) The State Board of Education will inform each Regional Superintendent and each school administrator by May 15 as to the specific textbooks which will be purchased.

j) The school administrator shall confirm that the quantity and 7 titles and--quantity of all textbooks received are the same as ordered requested. Such confirmation shall be mailed to the State Board of Education within seven (7) days after receipt of the textbooks.

k) All textbooks provided through the program shall be listed on an inventory maintained by the State Board of Education. Each school shall identify (stamp) the materials each--textbook received under the program as "Property of the State of Illinois, School Year \_\_\_\_."

l) Each school district or nonpublic school shall have procedures to assure the return of all textbooks from those to whom they have been loaned.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 350.25 Disposition Procedures

a) Textbooks received under the Textbook Loan Program loaned--textbooks may not be disposed of out of state or sold without the prior approval of--the--State--Board--of--Education (Section 18-17 of the School Code) as provided in subsection subsections (b) or (c) of this Section.

b) Disposition of Textbooks on Loan for Less than Five Years

Textbooks on loan for less than five (5) years that a school district or nonpublic school determines to be unsuitable (e.g., elimination of program, wear, adoption of new textbooks) shall be disposed of in the following manner:

1) A list of unsuitable textbooks shall be reported by mail to the State Board of Education, giving the International Standard Book Numbers (ISBN), quantity, grade level, and titles of the materials books. If no ISBN is given for the materials, then a description must be provided of the unsuitable materials.

2) The State Board of Education shall attempt to relocate these textbooks to other Illinois schools within three (3) months after receiving the list by mail. Requests for these textbooks shall be honored on a first-come, first-served basis. Based on this effort, the State Board shall make appropriate notification to the sending and/or receiving schools and shall notify all parties in writing. Receiving schools shall be responsible for all transportation arrangements and for all costs incurred in the transportation of the textbooks from the sending school.

3) Textbooks which cannot be relocated to another Illinois school pursuant to subsection (b)(2) of this Section may be disposed of pursuant to the exemption from the Illinois Property Control Act



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that has been granted by the Director of the Department of Central Management Services. A copy of the exemption will be provided to nonpublic schools and school districts that seek to dispose of textbooks pursuant to this subsection.

- c) Disposition of Textbooks on Loan for Five Years or More
- Textbooks on loan for five (5) or more years may be disposed of in such a manner as the school board or nonpublic school determines, including out-of-state disposal or sale, provided that:
- 1) The school administrator provides written notification to the State Board of Education of the school district's or nonpublic school's intent to dispose of the textbooks. Such notification shall:

A) Provide a list of unsuitable textbooks, which shall be reported by mail to the State Board of Education giving the International Standard Book Numbers (ISBN), quantity, grade level, and titles of the materials ~~books~~. If no ISBN is given for the materials, then a description must be provided of the unsuitable materials.

B) Cite the proposed method for disposing of the textbooks.

- 2) Notification shall be sent to the State Board of Education by certified U.S. mail, return receipt requested.
- 3) Textbooks shall not be disposed of in less than 30 days following notification to the State Board. The date of delivery on the return receipt shall constitute the date of notification. If the State Board of Education identifies a disposition that better conserves public resources or better serves the interests of the public, then it shall, within 30 days after notification, arrange with the school to dispose of the materials ~~books~~ in some alternative manner. If the State Board of Education does not arrange such action within 30 days, then the school shall dispose of the books as indicated in the notice to the State Board of Education.
- 4) The school administrator shall notify the State Board in writing of the date and manner of final textbook disposition.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## DEPARTMENT OF INSURANCE

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- 1) Heading of the Part: Preferred Provider Program Administrators

- 2) Code Citation: 50 Ill. Adm. Code 2051

- 3) Section Numbers:  
 2051.10 New Section  
 2051.20 New Section  
 2051.30 New Section  
 2051.40 New Section  
 2051.50 New Section  
 2051.60 New Section  
 2051.70 New Section  
 2051.80 New Section  
 2051.90 New Section  
 2051.100 New Section

Proposed Action:

New Section  
 New Section  
 New Section  
 New Section  
 New Section  
 New Section  
 New Section  
 New Section  
 New Section  
 New Section

- 4) Statutory Authority: Implementing and authorized by Article XX 1/2 and further authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/Art. XX 1/2 and 401].

- 5) A Complete Description of the Subjects and Issues Involved: The Department is renumbering this new Part 2051 from Part 6501. Substantively, there is no difference between the two rules; the Department is simply moving this regulation to correspond to the statutory provisions which this rule implements. This Part implements Section 370f of the Illinois Insurance Code and it therefore belongs in Subchapter 2 of the Illinois Administrative Code.

- 6) Will this proposed rule replace emergency rule currently in effect? No

- 7) Does this rule contain an automatic repeal date? No

- 8) Does this proposed rule contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This new Part will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Denise Fuchs  
 Rules Unit Supervisor  
 Department of Insurance

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320 West Washington  
Springfield, Illinois 62767  
(217) 785-8560

12) Initial Regulatory Flexibility Analysis: The Department has determined that this proposed rule will not affect small businesses.

13) Regulatory Agenda on which this amendment was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: It had been listed on the January 1995 agenda

The full text of the Proposed Rules begins on the next page:

## DEPARTMENT OF INSURANCE

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TITLE 50: INSURANCE  
CHAPTER I: DEPARTMENT OF INSURANCE  
SUBCHAPTER 2: HEALTH CARE REIMBURSEMENT

PART 2051  
PREFERRED PROVIDER PROGRAM ADMINISTRATORS

Section	Authority
2051.10	Purpose
2051.20	Definitions
2051.30	Administrators Not to Assume Underwriting Risk
2051.40	Registration
2051.50	Annual Registration Fee
2051.60	Fiduciary and Bonding Requirements
2051.70	Maintenance of Records
2051.80	Examination
2051.90	Severability
2051.100	

AUTHORITY: Implementing and authorized by Article XX 1/2 and further authorized Section 401 of the Illinois Insurance Code [215 ILCS 5/Art. XX 1/2 and 401].

SOURCE: Adopted at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

### Section 2051.10 Authority

This Part implements and is authorized by Article XX 1/2 and is authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/Art. XX 1/2 and 401].

### Section 2051.20 Purpose

The purpose of this Part is to implement Article XX 1/2 of the Illinois Insurance Code which, in part, provides for the regulation of administrators of preferred provider programs. This Part defines the authority of an administrator to operate preferred provider programs in this State, establishes criteria for the registration of administrators with the Director of Insurance and establishes an annual registration fee. This Part applies only to administrators of preferred provider programs subject to Article XX 1/2 of the Illinois Insurance Code.

### Section 2051.30 Definitions

"Administrator" means any person, partnership or corporation, other than an insurer or health service corporation or health maintenance organization holding a certificate of authority under the "Health



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Maintenance Organization Act" [215 ILCS 125] or self-insured employer, employee benefit trust fund or other ERISA exempt organization, that arranges, contracts with, or administers contracts with a provider whereby beneficiaries are provided an incentive to use the services of such provider.

"Beneficiary" means an individual entitled to reimbursement for covered expenses of health care services under a program where the beneficiary has an incentive to utilize the services of a provider which has entered into an agreement or arrangement with an administrator.

"Health Care Services" means health care services or products rendered or sold by a provider within the scope of the provider's license or legal authorization. The term includes, but is not limited to, hospital, medical, surgical, dental, vision and pharmaceutical services or products.

"Health Service Corporation" means a hospital service corporation, medical service plan, voluntary health service plan, vision service plan, dental service plan, or pharmaceutical service plan licensed under the applicable Sections of Chapter 215 of the Illinois Compiled Statutes.

"Financial Institution" means a Federal or State chartered bank(s) or savings and loan institution.

"Provider" means an individual or entity duly licensed or legally authorized to provide health care services.

"Preferred Provider" means any provider who has entered into an agreement with an administrator relating to health care services which may be rendered to beneficiaries under a preferred provider program.

"Preferred Provider Arrangements" means policies, agreements or arrangements with providers relating to the amounts to be charged to insureds or beneficiaries for health care services which can include incentives for the insured or beneficiary to use such services.

"Preferred Provider Program" means a system to make preferred provider arrangements available to insured or beneficiaries.

#### Section 2051.40 Administrators Not to Assume Underwriting Risk

An administrator may negotiate and make arrangements with providers in compliance with Article XX 1/2 of the Illinois Insurance Code, and market and otherwise make available such arrangements to insurance companies, health service corporations, fraternal benefit societies or self-insuring employers or

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health and welfare trust funds and to their subscribers; provided however, that in performing such functions the administrator shall not accept any underwriting risk in the form of a premium or capitation payment for its services.

#### Section 2051.50 Registration

a) No person, partnership or corporation shall act as an administrator of a preferred provider program until such time that such person, partnership or corporation has registered with the Director of Insurance as required by this Part. In addition, all administrators shall annually register with the Director of Insurance as required by this Part. Annual registration statements must be filed with the Director no later than March 1st of each year.

b) Each administrator must keep current the information required to be disclosed in its registration statements by reporting all material changes or additions to the Director of Insurance within 30 days after the end of the month of each change or addition. A material change or addition is any modification of the following information in the registration statement, excluding typographical corrections: changes in the personnel responsible for the conduct of the affairs of the administrator, changes in the terms and conditions of administrative and provider agreements, changes to the preferred provider program disclosure statements, changes in bond or fiduciary accounts and changes to the location of the administrator's office.

c) Each applicant for registration shall file with the Director of Insurance the following information and documents on form PPA-1 prescribed by the Director:

- 1) A general statement of the services to be offered through the administrator's proposed plan of operations, including the method of marketing the program and the geographic area proposed to be serviced by the program; and
- 2) A list of the names, addresses, official positions and biographical affidavits of the persons responsible for the conduct of the affairs of the administrator; and
- 3) Sample copies of administrative agreements and provider agreements utilized by the administrator. If the terms and conditions in such agreements may vary, the filing of one complete sample agreement together with a description of all variable terms and conditions will satisfy this requirement; and
- 4) A roster of preferred providers and a source for the beneficiary to contact regarding changes in such providers; and
- 5) A general description of the means by which the administrator assures that the health care services to be rendered under the preferred provider program are reasonably accessible and available to beneficiaries; and
- 6) Copies of the preferred provider program disclosure statements required to be furnished to beneficiaries by Section 370m of the

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- Illinois Insurance Code, and correlary advertising material; and
- 7) A description of programs or utilization review and timely resolution of questions, complaints and grievances; and
  - 8) A description of any fiduciary account established by the administrator, including the location and identification number of the account, established and maintained pursuant to Section 370e of the Illinois Insurance Code and Section 2051.70(a) of this Part; and/or a bond in compliance with Section 370e of the Illinois Insurance Code and Section 2051.70(b) of this Part. If a bond is submitted the administrator shall also furnish a certification of the total estimated annual reimbursements under the preferred provider program(s), supported by the methodology used to arrive at such figure; and
  - 9) Location of the administrative offices of the administrator located in this State and regular business hours during which offices are open.
  - d) No Administrator shall offer any preferred provider program to residents of this State until the Director has determined that the requirements of Article XX 1/2 of the Illinois Insurance Code and this Part have been met, and has placed such registration material on file. The Director shall make such determination within 60 days after receipt of the registration information required by this Section and the registration fee required by Section 2051.60 of this Part.
  - e) All information filed with the Director pursuant to this Part regarding the methods and/or amounts of reimbursement of providers and the administrator under the preferred provider program(s) is deemed to be confidential and will not be released without subpoena or written consent to the affected administrator.

**Section 2051.60 Annual Registration Fee**

Each administrator doing business in this State shall pay to the Director of Insurance a registration fee of \$100.00 on the initial date of application for registration and annually thereafter on or before March 1st of each succeeding year so long as such registration is maintained.

**Section 2051.70 Fiduciary and Bonding Requirements**

- a) This Section outlines requirements for administrators who must establish either a bond or a fiduciary account pursuant to Section 370l of the Illinois Insurance Code.
- b) Administrators who establish and maintain a fiduciary account pursuant to Section 370(1) of the Illinois Insurance Code are subject to the following requirements:
  - 1) Monies collected for reimbursement under preferred provider programs which the administrator holds more than 15 days shall be deposited in a special fiduciary account in a financial institution located in this State, which account shall be

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- designated as an "Administrator Trust Fund", hereinafter referred to as "ATF". All checks drawn on the ATF shall indicate on their face that they are drawn on the ATF of the administrator.
- 2) An administrator that operates more than one preferred provider program may establish separate fiduciary accounts for each program, or may maintain a consolidated fiduciary account for such programs. If a consolidated Administrator Trust Fund account is maintained the administrator's records shall clearly indicate for each program fund deposits and disbursements.
  - 3) No disbursement shall be made from the Administrator Trust Fund account other than payment for provider services under the preferred provider program(s) operated by the administrator and administrative fees due the administrator pursuant to a written agreement.
  - 4) For each preferred provider program for which an ATF is maintained, the balance in the ATF shall at all times be the amount of funds deposited plus accrued interest, if any, less authorized disbursements.
  - 5) If the ATF is interest bearing or income producing, the full nature of the account must first be disclosed to the principal, whether insurer or other payor of services under the preferred provider program, on whose behalf the funds are or will be held. At this time the administrator must procure the written consent and authorization from this principal for the investment of money and retention of interest or earnings.
  - 6) An administrator may place ATF funds in interest bearing or income producing investments and retain the interest or income thereon, providing the administrator obtains the prior written authorization of the principals on whose behalf the funds are to be held. In addition to savings and checking accounts, an administrator may invest in the following:
    - A) Direct obligations of the United States of America or U.S. Government agency securities with maturities of not more than one year;
    - B) Certificates of deposit, with a maturity of not more than one year, issued by the Federal Deposit Insurance Corporation (FDIC) or Federal Savings and Loan Insurance Corporation (FSLIC), so long as any deposit does not exceed the maximum level of insurance protection provided to certificates of deposits held by such institutions;
    - C) Repurchase agreements with financial institutions or government securities dealers recognized as primary dealers by the Federal Reserve System provided:
      - i) The value of the repurchase agreement is collateralized with assets which are allowable investments for ATF funds; and
      - ii) The collateral has a market value at the time the repurchase agreement is entered into at least equal to



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- the value of the repurchase agreement; and
- iii) The repurchase agreement does not exceed 30 days;
- D) Commercial paper, provided the commercial paper is rated at least P-1 by Moody's Investors Service, Inc. or at least A-1 by Standard & Poor's Corporation;
- E) Money Market Funds, provided the money market fund invests exclusively in assets which are allowable investments pursuant to subsections (b)(6)(A) through (D) of this Section for ATF funds;
- F) Each investment transaction must be made in the name of the administrator's ATF. The administrator must maintain evidence of any such investments. Each investment transaction must flow through the administrator's ATF.

7)

- A) Administrators shall maintain detailed books and records which reflect all transactions involving the receipt and disbursement of funds in the ATF.

- B) The detailed preparation, journalizing and posting of such books and records must be maintained on a timely basis and all journal entries for receipts and disbursements shall be supported by evidential matter, which must be referenced in the journal entry so that it may be traced for verification. Administrators shall prepare and maintain monthly financial institution account reconciliations of any ATF established by the administrator. The minimum detail required shall be as follows:

- i) The sources, amounts and dates of monies received and deposited by the administrator.
  - ii) The date and person to whom a disbursement is made. If the amount disbursed does not agree with the amount billed or authorized, the administrator shall prepare a written record as to the reason.
  - iii) A description of the disbursement in such detail to identify the source document substantiating the purpose of the disbursement.
- c) An Administrator who posts or causes to be posted a bond of indemnity pursuant to Section 370(1) of the Illinois Insurance Code shall do so subject to the following requirements:
- 1) An administrator who operates more than one preferred provider program subject to Article XX 1/2 of the Illinois Insurance Code may maintain a bond of indemnity for any such programs.
  - 2) The bond shall be held by the Director of Insurance in favor of the beneficiaries and payors of services under the preferred provider program(s) operated by the administrator. The bond shall be executed by a surety company and payable to any party injured under the terms of the bond.
  - 3) The bond shall be in continuous form and shall be in the amount of not less than 10% of the total estimated annual reimbursements

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under the preferred provider program(s) covered by the bond. The amount of the bond shall be determined in accordance with the methodology submitted by the administrator pursuant to Section 2051.50(c)(8) of this Part.

- 4) Such bond shall remain in force and effect until the surety is released from liability by the Director or until the bond is cancelled by the surety. The surety may cancel the bond and be released from further liability thereunder upon 30 days written notice in advance to the Director. Such cancellation shall not affect any liability incurred or accrued thereunder before the termination of the 30-day period. Upon receipt of any notice of cancellation, the Director shall immediately notify the administrator.

## Section 2051.80 Maintenance of Records

- a) All administrators shall maintain detailed books and records of all of their transactions as an administrator of preferred provider programs. The records required to be maintained by this Section shall include:

- 1) the books and records of ATF transactions required by Section 2051.70 of this Part; and
  - 2) books and records regarding all funds received or disbursed by the administrator; and
  - 3) all contracts or agreements with providers, insurers or other payors of the services under a preferred provider program; and
  - 4) All documents relating to the administrator's preferred provider program, including but not limited to beneficiary disclosure documents required by Section 370m of the Illinois Insurance Code, beneficiary complaints and documents relating to the administrators utilization review program.
- b) Records shall be maintained for at least three years after the termination of the preferred provider program to which they relate.

## Section 2051.90 Examination

- a) The Director or his designee may examine any applicant for registration or any registrant when he obtains information which gives him reason to believe that the applicant or registrant may be in violation of this Part or any applicable provision of the Illinois Insurance Code, when he receives a complaint or when the applicant has a history of violations of the Illinois Insurance Code.
- b) Any administrator being examined shall provide to the Director or his designee convenient and free access, at all reasonable hours at their offices, to all books, records, documents and other papers relating to such administrator's business affairs. The Director or his designee shall not have access to beneficiary medical records which are protected by the Medical Studies Act [735 ILCS 5].
- c) The Director or his designee may administer oaths and thereafter

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- examine any individual about the business of the administrator.
- d) The expenses of examination under this Section shall be assessed against the administrator being examined in accordance with Section 408(3) of the Illinois Insurance Code [215 ILCS 5/408(3)].
- e) The examiner designated by the Director shall make a written report if he alleges that there is a violation of this Part, any applicable provisions of the Illinois Insurance Code or any other applicable Part of Title 50 of the Illinois Administrative Code. The report shall be verified by the examiner. The report must be made to the Director within 45 days after the conclusion of the examination. If no report is to be made, the administrator shall be so notified.
- f) If a report is made, the Director shall either deliver a duplicate thereof to the administrator being examined or send such duplicate by certified or registered mail to the administrator's address specified in the records of the Department. The Director shall afford the administrator an opportunity to request a hearing to object to the report. The administrator may request a hearing within 30 days after receipt of the duplicate of the examination report by giving the Director written notice of such request together with written objections to the report. Any hearing shall be conducted in accordance with Sections 402 and 403 of the Illinois Insurance Code [215 ILCS 5/402 and 403] and 50 Ill. Adm. Code 2402. The right to hearing is waived if the delivery of the report is refused or the report is otherwise undeliverable to the address on file with the Department or the administrator does not timely request a hearing. After the hearing or upon expiration of the time period during which an administrator may request a hearing, if the examination reveals that the administrator is operating in violation of any applicable provisions of the Illinois Insurance Code, any applicable Part of Title 50 of the Illinois Administrative Code or prior order, the Director, in the written order, may require the administrator to take action to correct such violation in accordance with the report or examination hearing. If the Director issues an order, it shall be issued within 90 days after the report is filed, or if there is a hearing, within 90 days after the conclusion of the hearing. The order is subject to review under the Administrative Review Law [735 ILCS 5/Art. III].

**Section 2051.100 Severability**

If any Section, term or provision of this Part shall be adjudged invalid by a court of competent jurisdiction for any reason, such judgment shall not affect, impair or invalidate any other Section, term or provision of this Part, and the remaining Sections, terms and provisions shall be and remain in full force and effect.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Developmental Disability Services
- 2) Code Citation: 89 Ill. Adm. Code 144
- 3) Section Number: 144.300  
Proposed Action: Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments provide for an add-on of \$.30 per resident day for the costs of, prophylaxis and periodontal services for residents of small scale ICF/MR facilities with four or six beds. The \$.30 add-on for dental care is a component of the reimbursement provisions for ICF/MR facilities found in Section 144.275(d)(4). However, when Section 144.300 was drafted to address the unique reimbursement requirements of small facilities with only four or six beds, the \$.30 dental add-on was inadvertently omitted. Additionally, a reference is being added to Section 144.300 concerning the add-on of \$.10 per resident day for emergency dental services which is paid to all ICF/MR services. Prophylaxis, periodontal and emergency dental services are required by federal regulations at 42 CFR 483.460 in Medicaid funded residential facilities for persons with developmental disabilities.
- These proposed amendments are expected to result in an annual increase in spending of approximately \$29,000. Reimbursement for the maintenance of the ICF/MR program is the responsibility of the Department of Mental Health and Developmental Disabilities.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes
- | Sections | Proposed Action | Illinois Register Citation             |
|----------|-----------------|--|
| 144.275  | Amendment       | December 22, 1995 (19 Ill. Reg. 16765) |
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data,



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Ave. E., 3rd Floor  
Springfield, Illinois 62762  
Phone: (217) 524-3215

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these amendments at the Department of Public Aid's local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 310 South Michigan Avenue, Suite 1700, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

These proposed amendments may have an impact on small businesses, small municipalities, and not for profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not for profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Small Scale ICF/MR facilities for persons with developmental disabilities

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory agenda on which this rulemaking was summarized: This rule was

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

not included on either of the 2 most recent agendas because: This rulemaking was inadvertently omitted when the most recent regulatory agenda was published.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

March 20, 1992; amended at 17 Ill. Reg. 8478, effective June 1, 1993; amended at 17 Ill. Reg. 11480, effective July 16, 1993; emergency amendment at 17 Ill. Reg. 15126, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; emergency amendment repealed at 17 Ill. Reg. 22582, effective December 20, 1993; emergency amendment at 18 Ill. Reg. 11314, effective July 1, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16619, effective October 27, 1994; amended at 19 Ill. Reg. 2890, effective February 22, 1995; amended at 19 Ill. Reg. 7906, effective June 5, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 144.300 Reimbursement for Program (Active Treatment) Costs in Small Scale Residential Facilities**

Small scale residential facilities (ICF/MR) with four or six beds for clients with developmental disabilities will be reimbursed for an active treatment program for each client. Facility program reimbursement levels will be derived by the Department of Mental Health and Developmental Disabilities from the following three determinants which in combination will result in a total facility program per diem amount. These three determinants will be determined according to information provided in the most recent Inspection of Care (IOC) conducted by Department of Public Health survey staff. This IOC information must be validated by the survey staff prior to utilization for payment purposes. The new reimbursement level will be effective on the first day of the quarter following a facility's IOC. Where dollar, wage, or salary amounts are used, these shall be inflated to the fiscal year for which reimbursement will be made.

- a) Minimum Staffing
  - 1) Direct Services
    - A) Reimbursement for direct services is based on a direct service staffing pattern which is specific to small scale ICF/MR facilities. Facilities must be in compliance with minimum average daily staffing standards relative to client population according to each individual's overall level of functioning. The overall level of functioning for each client is determined according to the method described in Section 144.275 (a)(1)(A)(i) and (ii), and Sections 144.Tables D and E. The direct service staffing patterns based on the size of the residential setting and the overall level of functioning of the client population are:

Overall Level of Client Functioning	FTE* Staff
4-Person ICF/MR	
Mild	2.13
Moderate	3.88
Severe or Profound	5.93

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS  
  
PART 144  
DEVELOPMENTAL DISABILITIES SERVICES

- Section 144.1 Incorporation By Reference
- 144.5 Determination of Program (Active Treatment) Costs
- 144.25 Active Treatment Service Requirements in Residential Facilities for Individuals with Developmental Disabilities (Repealed)
- 144.50 Inspection of Care (IOC) Review Criteria for the Evaluation of Active Treatment Services in Residential Facilities for Individuals with Developmental Disabilities (Repealed)
- 144.75 Comprehensive Functional Assessments and Reassessments (Repealed)
- 144.100 Interdisciplinary Team (IDT) (Repealed)
- 144.105 Individual Program Plan (IPP) (Repealed)
- 144.125 Specialized Care - Behavior Development Programs
- 144.150 Specialized Care - Health and Sensory Disabilities
- 144.175 Functional Needs
- 144.200 Service Needs - Medical Care (Repealed)
- 144.205 Service Needs - Medical and Therapy Services (Repealed)
- 144.225 Individual Rights (Repealed)
- 144.230 Reconciliation of Resident Funds
- 144.250 Discharge Planning/Maximum Growth Potential Plan (Repealed)
- 144.275 Reimbursement for Program (Active Treatment) Costs in Residential Facilities for Clients with Developmental Disabilities
- 144.300 Reimbursement for Program (Active Treatment) Costs in Small Scale Residential Facilities
- 144.325 Capital Rate Calculation
- TABLE A Overview of Staff Intensity Scale of Maladaptive Behaviors
- TABLE B Staff Intensity Scale
- TABLE C IPP Outcomes (Repealed)
- TABLE D Guidelines for Determining Levels of Functioning
- TABLE E Standardized Adaptive Functional Assessment

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, and VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 14 Ill. Reg. 4166, effective March 9, 1990; Section 144.275 recodified from 89 Ill. Adm. Code 146.225 at 14 Ill. Reg. 7651; amended at 14 Ill. Reg. 17988, effective October 29, 1990; amended at 15 Ill. Reg. 14084, effective September 24, 1991; emergency amendment at 15 Ill. Reg. 16148, effective October 22, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3497, effective February 28, 1992; amended at 16 Ill. Reg. 5898, effective



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## 6-Person ICF/MR

Mild	3.2
Moderate	5.02
Severe or Profound	6.84

\*FTE = Full Time Equivalent

B) Reimbursement will be calculated according to the total direct service FTE staff derived from the weighted average of the FTE staff for levels of functioning in the moderate and severe/profound range within the small scale facility. After the total FTE staff are determined, the per diem amount is obtained according to the method in Section 144.275(a)(1)(C)(i).

C) The reimbursement for a client residing in a small scale ICF/MR who has been found to be ineligible for ICF/MR services, as a result of the facility's Interdisciplinary Team (IDT) process or an IOC determination, will be at the mild level of overall functioning for not more than one year from the date of the determination of ineligibility. If the client has not been discharged in accordance with Section 144.250 by the end of the one year period, reimbursement will be made at the Department's sheltered care rate. The sheltered care rate will be payment in full for all program, capital and support costs for such clients.

D) Reimbursement for a client admitted to a small scale ICF/MR who is determined to be ineligible, or who is without a determination of eligibility by the preadmission screening process, will be set at the sheltered care rate. The sheltered care rate will be payment in full for all program, capital and support costs. Payment for services for each client who has not been found eligible for the ICF/MR program upon admission will terminate 30 days following the date of admission. Reimbursement for residential services for such a client which is paid to the facility beyond the 30 day period following admission will be recouped by the Department from the next facility payment or other contractual time period.

E) The facility rate paid will be the weighted average of the total per diem (including capital and support) calculated for eligible clients with mild, moderate and severe/profound levels of overall functioning and the Department's sheltered care rate for clients admitted without previously determined ICF/MR eligibility, or who are ineligible for ICF/MR services as determined by the IDT or IOC process, and remain in the facility for more than one year following the date of

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## 2) Licensed Nurses

the determination of ineligibility.

A) If a client requires nursing services due to a physician's plan of care, reimbursement is calculated according to Section 144.275(a)(2)(D). The FTE nurse to client ratios which are specified for ICF/MR facilities with 16 or fewer beds, are also used for a set of small scale ICF/MR facilities as identified by the provider agreements (see 89 Ill. Adm. Code 140.561(a)).

B) The licensed nurse component is computed according to the method in Section 144.275(a)(2)(E).

3) The total reimbursement amount for Minimum Staffing is the sum of the amount for Direct Services staff plus the amount for Licensed Nurses.

## b) Active Treatment

1) Qualified Mental Retardation Professional (QMRP) (Section 144.275(b)(1)(A), (B) and (C)).

A) The reimbursement amount paid is based on sixteen clients in an identified set of 4-person and 6-person ICFs/MR.

B) The amount for QMRPs is based on a required full-time QMRP for every 15 clients. The number of QMRPs shall be obtained by dividing the number of clients in the facility by 15. The amount paid for QMRPs is computed according to the method in Section 144.275(b)(1)(D).

2) Interdisciplinary Team (IDT) (Section 144.275(b)(2)(B)) - The amount for services rendered by the IDT is based on one day of IDT services per year for each client. This amount is computed to be \$1.82 per client per day.

3) The total reimbursement amount for Active Treatment is the sum of the amounts for QMRP and IDT.

## c) Related Costs

1) An amount per client per day will be paid for other program costs, including program related supplies, consultants and other items necessary for the delivery of active treatment to clients in accordance with their individual program plans.

2) For each facility, this amount will be determined as follows. Add the amount determined for subsections (a) and (b), but exclude the amount for the IDT. Multiply this sum by the factor determined for the facility's HSA grouping. The product plus the amount for the IDT is then multiplied by the constant of .20.

3) An amount will be paid for dental services that are in compliance with the Health Care Financing Administration's Regulations (42 CFR 483.460(e), (f) and (g)) for each client age 21 or more. This amount will be determined by adding the flat per diem of \$.30 to the amount calculated according to subsection (c)(2) above. This per diem will cover the costs of prophylaxis treatment up to once every six months, and periodontal services as needed for each eligible client. An amount will also be paid

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- d) Total Program Per Diem - Total program per diem for each small scale residential facility will be the sum of the amounts from subsections (a), (b) and (c) of this Section.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Child Sex Offender Community Notification Law
- 2) Code Citation: 20 Ill. Adm. Code 1282
- 3) Section Numbers: Proposed Action:
- |         |             |
|---------|-------------|
| 1282.10 | New Section |
| 1282.20 | New Section |
| 1282.30 | New Section |
- 4) Statutory Authority: Implementing the Child Sex Offender Community Notification Law [730 ILCS 152] and authorized by Section 55a-3(a)8 of the Civil Administrative Code of Illinois [20 ILCS 2605/55a-3(a)8].
- 5) A Complete Description of the Subjects and Issues Involved: Incorporates provisions of the Child Sex Offender Community Notification Law which require police departments and sheriffs to provide the Department of Children and Family Services, licensed child care facilities and schools within their jurisdictions the names of Registered Child Sex Offenders. Victim notification procedures authorized under discretionary release of information are added, as are procedures for providing access to the registry for any person presented in writing, in person or by telephone.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These rules will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Within 45 days after the date of publication of this Notice, any interested person may submit comments, data, views or argument regarding the proposed rules. The submissions must be in writing and directed to:

Mr. James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
102 Armory Building  
P.O. Box 19461  
Springfield, IL 62794-9461



DEPARTMENT OF STATE POLICE  
NOTICE OF PROPOSED RULES

(217)782-7658

12) Initial Regulatory Flexibility Analysis: The rulemaking has no effect on small businesses.

A) Types of small businesses, small municipalities and not-for-profit Corporation affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Rules begins on the next page.

DEPARTMENT OF STATE POLICE  
NOTICE OF PROPOSED RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT  
CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1282  
CHILD SEX OFFENDER COMMUNITY NOTIFICATION LAW

SUBPART A: PROMULGATION

Section  
1282.10 Purpose  
1282.20 Definitions

SUBPART B: OPERATIONS

1282.30 Procedures

AUTHORITY: Implementing the Child Sex Offender Community Notification Law [730 ILCS 152] and authorized by Section 55a-3(a)8 of the Civil Administrative Code of Illinois [20 ILCS 2605/55a-3(a)8].

SOURCE: Adopted at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: PROMULGATION

Section 1282.10 Purpose

The purpose of this part is to provide requirements and procedures for providing the names, addresses and offenses of convicted child sex offenders to the community.

Section 1282.20 Definitions

a) Unless specified otherwise, all terms shall have the meanings set forth in the Child Sex Offender Community Notification Law.

b) For purposes of these rules, the following definitions apply:

"Child care facilities" has the meaning set forth in Section 2.05 of the Child Care Act of 1969 [225 ILCS 10/2.05], but does not include licensed foster homes. This term includes licensed child care facilities and child care facilities for which applications for license are being processed by the Department of Children and Family Services.

"Department" means the Illinois Department of State Police.

"Jurisdiction" means law enforcement jurisdiction as described in the

## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

definition of "law enforcement agency having jurisdiction" in Section 105 of the Law.

"Law" means the Child Sex Offender Community Notification Law [730 ILCS 152].

"Point of contact" means an individual identified by an agency or other entity as the person responsible for accepting and issuing communications relating to the implementation of this Part.

"Registered Child Sex Offender" means a Child Sex Offender, as defined in the Law, who has properly registered under the Sex Offender Registration Act [730 ILCS 150].

"Scheduled notifications" means the first two weeks of February, May, August and November.

"Schools" means the school boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school which has identified itself to the State Board of Education.

"Sex offender" means the same as the definition found in Section 2(a) of the Sex Offender Registration Act [730 ILCS 150/2(A)].

## SUBPART B: OPERATIONS

## Section 1282.30 Procedures

## a) State Board of Education

1) The State Board of Education will provide to the Department an accurate listing of addresses and points of contact for all schools.

2) The listing will be provided to the Department at least 30 days prior to the beginning of scheduled notifications.

3) The State Board of Education will appoint a point of contact to coordinate notification activities with the Department.

## b) Department of Children and Family Services

1) The Department of Children and Family Services will provide to the Department a listing of addresses and points of contact for all child care facilities.

2) The listing will be provided to the Department at least 30 days prior to the beginning of scheduled notifications.

3) The Department of Children and Family Services will appoint a point of contact to coordinate notification activities with the Department.

## c) Victim Notification

1) The victim and the victim's parent or legal guardian may request

## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

automatic notification of the change of address of the associated Registered Child Sex Offender.

2) In order to obtain automatic notification, the individual must make a request in writing to the Department which must include the name and date of birth of the Registered Child Sex Offender.

## d) Law Enforcement Agency Having Jurisdiction

1) Law enforcement agencies having jurisdiction will develop internal procedures and policies for implementing the provisions of the Law. Procedures will provide for the reasonable access to the information required to be provided under the Law.

2) Agencies shall only provide the name, address and offense of Registered Child Sex Offenders to persons other than a law enforcement officer or other individual as may be authorized by law.

3) A point of contact will be identified to serve as a liaison with schools and child care facilities. Agencies will provide the name and telephone number of their point of contact to all child care facilities and schools within their jurisdictions prior to June 1, 1996. Schools and child care facilities will be provided any changes on a timely basis. Point of contact information will also be provided to the Department.

4) Agencies will establish a control log which records the release of child sex offender information. Requesters will be required to show identification to receive child sex offender information. At a minimum, the name, address and date of birth of the requester will be recorded on the log.

5) Agencies may charge a reasonable fee, not to exceed costs, to provide the information to individuals requesting access to the registry. Provisions for this charge must be included in their written procedures. Fees cannot be charged to schools, child care facilities, other government agencies or for discretionary release of information.

6) Disclosure to the Department of Children and Family Services, schools and child care facilities will be made during each scheduled notification.

## e) Illinois State Police

1) The Department will provide a listing of all schools and child care facilities to Illinois law enforcement agencies for their respective jurisdictions. The listing or changes will be provided to agencies at least two weeks prior to the beginning of scheduled notifications.

2) The Department will maintain the registry and conduct audits of agencies affected by this part to ensure the integrity of data. The Department will maintain LEADS as the primary mechanism for registration and communication relating to sex offenders.

3) The Department will confer with the State Board of Education and the Department of Children and Family Services concerning the implementation of this Part. Procedures to evaluate the



## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

notification process will be developed jointly. Periodic meetings will be scheduled to address issues and identify potential problems.

## f) Requirements

- 1) Confidentiality  
The release of information under the Law does not apply to persons whose victims were 18 years of age or older at the time of the offense. Information regarding offenders who are not subject to the Law shall not be open to public inspection or to any person other than a law enforcement officer or other individual authorized by law.
- 2) Child Sex Offender Information  
Only the name, address and offense of the Registered Child Sex Offender will be provided to all persons or entities receiving information from the registry pursuant to this Part.
- 3) Registration and Notification Period  
Information will be available for public access or disclosure under the provisions of the Law for a period of 10 years after conviction or adjudication if not confined to a penal institution, hospital or any other institution or facility, and, if confined, for a period of 10 years after parole, discharge or release from any such facility.
- 4) Electronic Transmission of Information  
Any of the Department's communications and transfer of information described in this Part may be accomplished by electronic means. Publicly accessible communication networks, such as those commonly described as the "Internet", may be used when technically feasible.
- 9) Public Access
  - 1) Discretionary Access  
The Department and any law enforcement agency having jurisdiction may provide the name, address and offense or adjudication of any Registered Child Sex Offender to any individual likely to encounter the offender.
  - 2) Public Inspection  
Any individual or entity shall, upon request to the local law enforcement agency having jurisdiction, be provided an opportunity by that agency to inspect a listing of all names, addresses and offenses or adjudication of Registered Child Sex Offenders registered with that agency.

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Access to Information
- 2) Code Citation: 2 Ill. Adm. Code 1701
- 3) Section Numbers: 1701.100  
Adopted Action: Amendment
- 4) Statutory Authority: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15] and the Freedom of Information Act [5 ILCS 140], and authorized by Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15] and Section 3 of the Freedom of Information Act [5 ILCS 140/3].
- 5) Effective Date of Rulemaking: March 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 22, 1996
- 9) Notice of Proposal Published in Illinois Register: Not applicable.
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: Not applicable
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not applicable.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Commission's Freedom of Information Act request rules, 2 Ill. Adm. Code 1701, currently require all requests under the Act to be filed with the Chief Clerk of the Commission. This requirement includes all requests for transportation-related records, for which the Chief Clerk has no responsibility (other than the FOIA requests). The amendment to Part 1701 requires specified requests to be directed to the Director of Processing in the Transportation division.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Conrad Rubinkowski  
Address: Illinois Commerce Commission  
527 East Capitol Avenue

ILLINOIS COMMERCE COMMISSION  
NOTICE OF ADOPTED AMENDMENTS

P.O. Box 19280  
Springfield, IL 62794-9280  
Telephone: (217)785-8439

The full text of the Adopted Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION  
SUBTITLE E: MISCELLANEOUS STATE AGENCIES  
CHAPTER IX: ILLINOIS COMMERCE COMMISSION

PART 1701

ACCESS TO INFORMATION

SUBPART A: GENERAL PROVISIONS

Section  
1701.10 Summary and Purpose  
1701.20 Definitions

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

Section  
1701.100 Person to Whom Requests Are Submitted  
1701.110 Form and Content of Requests

SUBPART C: PROCEDURES FOR COMMISSION RESPONSE  
TO REQUESTS FOR PUBLIC RECORDS

Section  
1701.200 Time for Response  
1701.210 Types of Commission Responses

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

Section  
1701.300 Appeal of a Denial  
1701.310 Chairman's Response to Appeal

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTERS

Section  
1701.400 Inspection of Records at Commission Offices  
1701.410 Copies of Public Records

APPENDIX A Request for Public Records

AUTHORITY: Implementing Section 5-15 of the Illinois Administrative Procedure Act (5 ILCS 100/5-15) and the Freedom of Information Act (5 ILCS 140) and authorized by Section 5-15 of the Illinois Administrative Procedure Act (5 ILCS 100/5-15) and Section 3 of the Freedom of Information Act (5 ILCS 140/3).

SOURCE: Adopted at 8 Ill. Reg. 12172, effective July 1, 1984; amended at 20 Ill. Reg. 4049, effective March 1, 1996.



ILLINOIS COMMERCE COMMISSION  
NOTICE OF ADOPTED AMENDMENTS  
SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS  
Section 1701.100 Person to Whom Requests Are Submitted

a) Requests for public records regarding public utility regulation and other matters not involving the Commission's regulation of motor carriers, rail carriers, commercial relocators of trespassing motor vehicles, and other entities under the Illinois Vehicle Code [625 ILCS 5], shall be submitted to the Chief Clerk of the Commission. Requests shall be submitted to the following address:

Chief Clerk  
Attention: FOIA Request  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62706  
Attention: --FOIA-Request

b) Requests for public records regarding the Commission's regulation of motor carriers, rail carriers, commercial relocators of trespassing motor vehicles, and other entities under the Illinois Vehicle Code [625 ILCS 5], shall be submitted to the Director of Processing in the Transportation Division. Requests shall be submitted to the following address:

Director of Processing  
Attention: FOIA Request  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62706

(Source: Amended at 20 Ill. Reg. 4049, effective March 1, 1996)

INDUSTRIAL COMMISSION  
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Arbitration
- 2) Code Citation: 50 Ill. Adm. Code 7030
- 3) Section Numbers: Adopted Action:  
7030.20 Amendment  
7030.60 Amendment  
7030.70 Amendment
- 4) Statutory Authority: Sections 16 and 19 of the Workers' Compensation Act [820 ILCS 305/16 and 19]
- 5) Effective Date of Rulemaking: February 15, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 15, 1996
- 9) Notice of Proposal Published in Illinois Register: September 8, 1995 at 19 Ill. Reg. 12569
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: In Section 7030.60 added heading "Notice and Objection" after (c). In Section 7030.60 added heading "Exceptions" after (f).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The amendments change the trial procedures for cases on arbitration. Section 7030.20 is amended to specifically provide:  
  
Either party may request a pre-trial conference prior to the start of trial.  
  
On the scheduled trial date each party must appear before the Arbitrator between 8:45 a.m. and 9:15 a.m. when the Arbitrator establishes the trial order.  
  
When establishing the trial order, the Arbitrator may give priority to

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TITLE 50: INSURANCE  
CHAPTER II: INDUSTRIAL COMMISSION  
PART 7030  
ARBITRATION

Section	Arbitration Assignments
7030.10	Setting a Case for Trial
7030.20	Disqualification of Commissioners and Arbitrators
7030.30	Request for Hearing
7030.40	Subpoena Practice
7030.50	Depositions
7030.60	Rules of Evidence
7030.70	Briefs, Arbitrators' Decisions
7030.80	Opening and/or Closing Statements
7030.90	Voluntary Arbitration under Section 19(p) of the Workers' Compensation Act and Section 19(m) of the Workers' Occupational Diseases Act
7030.100	

AUTHORITY: Implementing Section 19 and authorized by Section 16 of the Workers' Compensation Act [820 ILCS 305/19 and 16] and of the Workers' Occupational Diseases Act [820 ILCS 310/19 and 16].

SOURCE: Filed and effective March 1, 1977; amended at 4 Ill. Reg. 26, p. 159, effective July 1, 1980; emergency amendment at 5 Ill. Reg. 8547, effective August 3, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 3570, effective March 22, 1982; emergency amendment at 6 Ill. Reg. 5820, effective May 1, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8040, effective July 7, 1982; amended at 6 Ill. Reg. 11909, effective September 20, 1982; codified at 7 Ill. Reg. 2514; amended at 9 Ill. Reg. 19722, effective December 6, 1985; emergency amendment at 14 Ill. Reg. 4913, effective March 9, 1990, for a maximum of 150 days; emergency expired August 6, 1990; amended at 14 Ill. Reg. 13141, effective August 1, 1990; amended at 15 Ill. Reg. 8214, effective May 17, 1991; amended at 20 Ill. Reg. 4053, effective February 15, 1996.

Section 7030.20 Setting a Case for Trial

- a) A written request for a date certain for trial may be made at the monthly status call on which the case appears. A request for a trial date in a case which does not appear on the monthly status call may only be made in accordance with Section 7020.60(b)(2)(B).
- b) If the parties by agreement request a trial date, the Arbitrator will assign a specific date and time for trial. A pre-trial conference may be held by the Arbitrator. Either party may request a pre-trial conference prior to the start of trial.
- c) If there is no agreement:

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cases in which a petition under Section 19(b) or 19(b-1) has been filed, death benefits or permanent total disability benefits are claimed, or other cases in which special circumstances exist which in the opinion of the Arbitrator would warrant granting priority to the case in the trial order.

Failure of the Petitioner to appear on the trial day before 9:15 a.m. may bar the case from being heard that day or may result in dismissal of the claim. Failure of the Respondent to appear may result in an ex parte hearing on the merits of the claim.

Bifurcated hearings are discouraged and will only be allowed for good cause. Examples of good cause include, but are not limited to, where the number or location of witnesses make it impossible to conclude the hearing in one day or the testimony of a witness must be taken prior to a deposition.

Section 7030.60 is amended to provide that evidence depositions of a witness may be taken after the hearing begins only upon order of the Arbitrator or Commissioner for good cause shown.

Section 7030.70 is amended to provide that exhibits offered into evidence shall be retained by the assigned Arbitrator of Commissioner until a decision is issued in the matter and may not be removed by the parties.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Kathryn Kelley  
Counsel  
Industrial Commission  
100 West Randolph; Suite 8-272  
Chicago, IL 60601  
(312) 814-6559

The full text of the Adopted Amendment begins on the next page:



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- 1) Any party may file a motion requesting a date certain for trial. The motion must be accompanied by a form provided by the Industrial Commission called a Request for Hearing, which sets forth the moving party's claims on each issue.
- 2) A Respondent may file a motion requesting a date certain for trial if Respondent claims that:
- A) Respondent has not received in the prior 6 months any bills or other evidence that Petitioner is under medical care or undergoing physical or vocational rehabilitation related to the alleged accidental injuries, and
  - B) Respondent has evidence establishing that Petitioner has not been entitled for the prior 6 months to temporary total disability benefits as a result of the alleged accidental injuries, and such benefits have not been paid for that period.
- 3) The motions for trial dates shall be filed and heard pursuant to Section 7020.70 and Section 7020.60. If the Arbitrator determines that proper and timely fifteen (15) days notice was given of the motion for trial date to the opposing party, opposing party was provided with a completed Request for Hearing, said case appears on the monthly status call on the date the motion is heard, or if the case is not on the status call, the Arbitrator has determined that the case falls within the exceptions in Section 7020.60(b)(2)(B), and that the matter should proceed to trial, the Arbitrator shall set the matter for trial on a date certain. If any party fails without good cause to appear, the Arbitrator will hear the motion for trial date ex parte, and if the Arbitrator determines the matter is ready for trial will set a trial date convenient to the Arbitrator and the party that appeared. The party that appeared shall notify the opposing party of the trial date. ~~Failure of both parties to appear on the trial day without good cause may result in dismissal of the claim. Failure of the Petitioner to appear without good cause on the trial day may result in dismissal of the claim if Respondent appears and is prepared to proceed to trial. Failure of the Respondent to appear may result in an exparte hearing as to the merits of the cause.~~

d) On each trial day each party or, if represented, the party's attorney of record must appear before the Arbitrator between 8:45 a.m. and 9:15 a.m. during which time the Arbitrator shall establish the order in which cases shall proceed that day. The Arbitrator may give priority to cases in which a Petition under Section 19(b) or 19(b-1) of the Act has been filed, death benefits under Section 7 of the Act or permanent total disability benefits under Section 8 of the Act are claimed or other cases in which special circumstances exist which in the opinion of the Arbitrator warrant granting priority to the case in the trial order. Request for Hearing forms must be completed, signed and submitted to the Arbitrator prior to the beginning of the hearing in

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- e) Failure of the Petitioner to appear before 9:15 a.m. may bar the case from being heard that day or may result in dismissal of the claim. Failure of the Respondent to appear may result in an exparte hearing on the merits of the claim.
- f) On each trial day the Arbitrator shall begin hearing cases at 9:30 a.m. Any party who requests a date certain for trial must be prepared, absent good cause shown, to proceed to trial. On the trial day parties may report the case settled or request a continuance on a form provided by the Industrial Commission. If the moving party does not respond when the case is called for trial by the Arbitrator, the case may be placed at the end of the trial order. ~~All cases, except those which are heard under Section 19(b-1) of the Act, must be concluded within 3 months of the first hearing date of the Arbitrator. With these proofs, absent good cause shown, and render a decision.~~
- g) Bifurcated hearings are discouraged and will be allowed only for good cause. Examples of good cause include, but are not limited to, where the number or location of witnesses make it impossible to conclude the hearing in one day or the testimony of a witness must be taken prior to a deposition. All cases, except those which are heard under Section 19(b-1) of the Act, must be concluded within 3 months after the first hearing date or the Arbitrator will close proofs, absent good cause shown, and render a decision.

(Source: Amended at 20 Ill. Reg. 4053, effective FEB 15 1996).

Section 7030.60 Depositions

- a) Evidence depositions of any witness may be taken, either before or after hearing, only upon stipulation of the parties or upon order, called a dedimus potestatem in Section 16 of the Act, issued by the Arbitrator or Commissioner to whom the case has been assigned upon application of either party. Evidence depositions of any witness may be taken after the hearing begins only upon order of the Arbitrator or Commissioner, for good cause shown. Except as provided in subsection paragraph (f) below, such application shall be in writing and shall contain the following:
- 1) The reasons for the issuance of the dedimus potestatem clearly and concisely stated.
  - 2) The date upon which the dedimus should be issued and the name and address of the party to whom the dedimus is to be directed.
  - 3) The names and addresses of the witnesses whose depositions are sought to be taken.
  - 4) A statement as to whether the depositions are to be taken by oral or written interrogatories. Such written application shall be made either upon a printed form prescribed and furnished by the Commission or in a similar document prepared by the party

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- the application.
- 2) Where a dedimus potestatem is issued upon such oral application, the hearing officer shall allow the parties reasonable time to complete the deposition and submit the transcript thereof before closing proofs in the case.
- g) When any party takes an evidence deposition, said deposition shall be filed and become part of the record as an exhibit of the party who applied for the dedimus to take the deposition, unless the parties agree otherwise.
- h) All objections to questions propounded or answers adduced in the evidence deposition shall be fully explained on the record of said deposition. It is shall be the duty of the hearing officer to note his ruling on each objection in the margin of the transcript of said deposition or at a hearing on the record.

(Source: Amended at 20 Ill. Reg. 4053, effective Feb 15 1996)

Section 7030.70 Rules of Evidence

- a) The Illinois common law rules of evidence and the Illinois Evidence Act, ~~(111-Rev--Stat--1981--ch--51--par--17--et--seq--)~~ [820 ILCS 305]7 shall apply in all proceedings had before the Industrial Commission, either upon arbitration or review, except to the extent they conflict with the Workers' Compensation Act, the Workers' Occupational Diseases Act ~~(111-Rev--Stat--1981--ch--487--par--172-36--et--seq--)~~ [820 ILCS 310], or the Rules Governing Practice Before the Industrial Commission.

- b) Exhibits offered in evidence, whether admitted or rejected, shall be retained by the assigned Arbitrator or Commissioner until a decision is issued in the matter. Exhibits may not be removed by the parties. Once a final decision is rendered exhibits shall be retained by the Industrial Commission pursuant to the requirements of Section 17 of the Workers' Compensation Act [820 ILCS 305/17].

(Source: Amended at 20 Ill. Reg. 4053, effective Feb 15 1996)

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- applying for the dedimus.
- b) The time for taking depositions pursuant to the issuance of the dedimus potestatem shall be on a date set not less than ten (10) days after the issuance of such dedimus potestatem.

c) Notice and Objection

- 1) Except as provided in subsection paragraph (f) below, no dedimus potestatem shall be issued unless a copy of the application, together with all documents required by this rule to be attached to said application, has been served on the opposing party and proof of service of such copy made as provided in 50 Ill. Adm. Code 7020(a), Pre Arbitration.
- 2) The opposing party may, within five (5) days after the receipt of the copy of the application, file written objections to the issuance of the dedimus potestatem. The Commission shall rule on such objections before the issuance of the dedimus potestatem.
- d) Except as provided in subsection paragraph (f) below, notice of the issuance of the dedimus potestatem shall be given in sufficient time so that the receipt of such copy of the dedimus potestatem shall not be less than ten (10) days before the date set for the taking of the deposition. If the deposition is to be taken by written interrogatories, such interrogatories shall be filed in triplicate with the application for dedimus potestatem and a copy of such interrogatories shall be attached to the copy of the dedimus potestatem mailed to each party. If cross-interrogatories are desired, the same shall be filed with the Commission, not more than five (5) days after the receipt of the written interrogatories, and the party filing same shall mail a copy thereof within the same period of time to the applicant for dedimus potestatem.

- e) No dedimus potestatem shall be issued to take the depositions of any medical witnesses:

- A) where the party applying for the dedimus potestatem has refused or failed to comply with the provisions of Section 12 of the Act, and
- B) unless he shall have served the other side with a signed report of such medical witness--other than a treating physician--giving his findings and conclusions.

f) Exceptions

- 1) Provided, however, where it is shown that by complying with the time requirements prescribed herein, the party seeking the dedimus may be deprived of the evidence sought to be obtained by the deposition, that the Arbitrator or Commissioner to whom a case has been assigned for hearing may, in his discretion:
- A) on notice and hearing before trial waive or reduce such requirements, or
- B) permit a party to present an oral application of a dedimus potestatem immediately before or during trial and, after due consideration of such application and any objections thereto that may be orally raised by the opposite party, rule upon

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

1) Heading of the Part: Pay Plan

2) Code Citation: 80 Ill. Adm. Code 310

3) Section Numbers: Emergency Action:

310.230

Amended

4) The specific statutory citation upon which the rule is based and authorized: 20 ILCS 415/8 and 8a

5) The effective date of the rule: February 27, 1996

6) If this emergency rule is to expire before the end of the 150 days period, please specify the date: The emergency amendment will extend to the full 150 days.

7) Date filed in Agency's principle office: February 27, 1996

8) The reason for the emergency: The filing of an emergency amendment to Section 310.230, Part-Time Daily or Hourly Special Services Rate, upgrading the Educator's maximum daily rate from \$60 to \$85 is immediately necessary to provide a rate that will allow the Department of Rehabilitation Services to recruit Educators for irregular part-time work in the absences of full-time Educators. The Department of Rehabilitation Services has an immediate need for these substitutes and the rate change is necessary to attract qualified staff for fill-in work.

9) A Complete Description of the Subjects and Issues Involved: The Department of Central Management Services is filing an emergency amendment to upgrade the maximum daily rate in Section 310.230 of the Pay Plan for the Educator classification from \$60 to \$85 at the request of the Department of Rehabilitation Services.

10) Are there any proposed amendments pending to this part? No

11) Statement of Statewide Policy Objectives: This rulemaking does not affect local government units.

12) The name, address and telephone number of the person to whom information and questions regarding this adopted rule shall be directed to:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, IL 62706  
(217) 782-5601

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

The full text of the Emergency Rule is as follows:



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
 POSITION CLASSIFICATIONS  
 CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
 PAY PLAN

## SUBPART A: NARRATIVE

## Section

310.20 Policy and Responsibilities  
 310.30 Jurisdiction  
 310.40 Pay Schedules  
 310.50 Definitions

310.60 Conversion of Base Salary to Pay Period Units  
 310.70 Conversion of Base Salary to Daily or Hourly Equivalents

310.80 Increases in Pay  
 310.90 Decreases in Pay

310.100 Other Pay Provisions  
 310.110 Implementation of Pay Plan Changes for Fiscal Year 1996  
 310.120 Interpretation and Application of Pay Plan  
 310.130 Effective Date

310.140 Reinstitution of Within Grade Salary Increases  
 310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

## SUBPART B: SCHEDULE OF RATES

## Section

310.205 Introduction  
 310.210 Prevailing Rate  
 310.220 Negotiated Rate  
 310.230 Part-Time Daily or Hourly Special Services Rate

## EMERGENCY

310.240 Hourly Rate  
 310.250 Member, Patient and Inmate Rate  
 310.260 Trainee Rate  
 310.270 Legislated and Contracted Rate  
 310.280 Designated Rate  
 310.290 Out-of-State or Foreign Service Rate  
 310.300 Educator Schedule for RC-063 and HR-010  
 310.310 Physician Specialist Rate  
 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
 310.330 Excluded Classes Rate (Repealed)

## SUBPART C: MERIT COMPENSATION SYSTEM

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

Section  
 310.410 Jurisdiction  
 310.420 Objectives  
 310.430 Responsibilities  
 310.440 Merit Compensation Salary Schedule  
 310.450 Procedures for Determining Annual Merit Increases  
 310.455 Intermittent Merit Increase  
 310.456 Merit Zone  
 310.460 Other Pay Increases  
 310.470 Adjustment  
 310.480 Decreases in Pay  
 310.490 Other Pay Provisions  
 310.495 Public Service Administrator Class Series  
 310.500 Definitions  
 310.510 Conversion of Base Salary to Pay Period Units  
 310.520 Conversion of Base Salary to Daily or Hourly Equivalents  
 310.530 Implementation  
 310.540 Annual Merit Increase Guidechart for Fiscal Year 1995  
 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

## APPENDIX A

## Negotiated Rates of Pay

TABLE A HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)

TABLE AA NR-916 (Department of Natural Resources, Teamsters)

TABLE B RC-200 (Department of Labor - Chicago, Illinois - SEIU)

TABLE C RC-069 (Firefighters, AFSCME)

TABLE D HR-001 (Teamsters Local #726)

TABLE E RC-020 (Teamsters Local #330)

TABLE F RC-019 (Teamsters Local #25)

TABLE G RC-045 (Automotive Mechanics, IFPE)

TABLE H RC-006 (Corrections Employees, AFSCME)

TABLE I RC-009 (Institutional Employees, AFSCME)

TABLE J RC-014 (Clerical Employees, AFSCME)

TABLE K RC-023 (Registered Nurses, INA)

TABLE L RC-008 (Boilermakers)

TABLE M RC-110 (Conservation Police Lodge)

TABLE N RC-010 (Professional Legal Unit, AFSCME)

TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)

TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)

TABLE Q RC-033 (Meat Inspectors, IFPE)

TABLE R RC-042 (Residual Maintenance Workers, AFSCME)

TABLE S HR-012 (Fair Employment Practices Employees, SEIU)

TABLE T HR-010 (Teachers of Deaf, IFT)

TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)

TABLE V CU-500 (Corrections, Meet and Confer Employees)

TABLE W RC-062 (Technical Employees, AFSCME)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1996
APPENDIX C	Medical Administrator Rates for Fiscal Year 1995
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1995
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Public Service Administrator Class Series Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4388, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; emergency amendment at 12 Ill. Reg. 20584, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; emergency amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; emergency amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854, effective November 13, 1990; emergency amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14,

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## NOTICE OF EMERGENCY AMENDMENT

1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 20 Ill. Reg. 108, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

**Section 310.230 Part-Time Daily or Hourly Special Services Rate  
EMERGENCY**

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	11.00 to 14.08 (hourly)
	83 to 106 (daily)
Apiary Inspector	32 to 50 (daily)
Building/Grounds Laborer	4.25 to 6.00 (hourly)
Building/Grounds Lead I	4.25 to 7.00 (hourly)
Building/Grounds Lead II	5.25 to 8.00 (hourly)
Building/Grounds Maintenance Worker	5.00 to 6.00 (hourly)
Chaplain I	32 to 70 (daily)
Chemist I	32 to 45 (daily)
Conservation/Historic Preservation Worker	4.50 to 6.50 (hourly)
Conservation/Historic Preservation Worker (2nd season -- site interpretation)	4.64 to 6.50 (hourly)
Conservation/Historic Preservation Worker (3rd season -- site interpretation)	4.78 to 6.50 (hourly)
Dentist I	70 to 150 (daily)
Dentist II	100 to 185 (daily)
Educator	25 to 85.60 (daily)
Educator Aide	32 to 35 (daily)
Guard II	67 to 84 (daily)
Guard III	75 to 96 (daily)
Hearing and Speech Coordinator	15 to 30 (hourly)
Hearings Referee	75 to 200 (daily)
Janitor I	4.73 to 5.30 (hourly)
Labor Maintenance Lead Worker	5.00 to 6.00 (hourly)
Labor Relations Investigator	35 to 70 (daily)
Laborer (Maintenance)	4.25 to 5.70 (hourly)
Maintenance Worker	4.25 to 5.00 (hourly)
Occupational Therapist	
Program Coordinator	40 to 160 (daily)
Office Aide	8.12 to 10.40 (hourly)
	60 to 78 (daily)
	Eff. FY '96:



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

Office Assistant	Eff. FY '97:	8.12 to 10.71 (hourly)
	Eff. FY '96:	60 to 80 (daily)
	Eff. FY '97:	9.16 to 12.00 (hourly)
		68 to 90 (daily)
Office Associate	Eff. FY '97:	9.16 to 12.36 (hourly)
	Eff. FY '96:	68 to 93 (daily)
	Eff. FY '97:	9.80 to 13.05 (hourly)
		73 to 98 (daily)
Office Clerk	Eff. FY '96:	9.80 to 13.44 (hourly)
	Eff. FY '97:	73 to 101 (daily)
	Eff. FY '96:	8.58 to 11.15 (hourly)
	Eff. FY '97:	64 to 84 (daily)
		8.58 to 11.49 (hourly)
Optometrist		64 to 86 (daily)
		15 to 35 (hourly)
Physician		50 to 160 (daily)
Physician Specialist (A)		100 to 300 (daily)
Physician-Specialist-(A)		20 to 60 (hourly)
Physician Specialist (B)		100 to 325 (daily)
Physician-Specialist-(B)		20 to 70 (hourly)
Physician Specialist (C)		100 to 350 (daily)
Physician-Specialist-(C)		20 to 75 (hourly)
Physician Specialist (D)		100 to 360 (daily)
Physician-Specialist-(D)		20 to 85 (hourly)
Physician Specialist (E)		100 to 370 (daily)
Physician-Specialist-(E)		50 to 125 (daily)
Podiatrist		35 to 80 (daily)
Psychologist I		40 to 125 (daily)
Psychologist II		40 to 150 (daily)
Psychologist III		5.33 (hourly)
Recreation Worker I		32 to 40 (daily)
Registered Nurse I		39 to 54 (daily)
Registered Nurse I		41 to 56 (daily)
(2nd or 3rd shift)		
Registered Nurse I (Cook County)		43 to 58 (daily)
Registered Nurse I (Cook County -		44 to 59 (daily)
2nd or 3rd shift)		
Registered Nurse II		43 to 58 (daily)
Registered Nurse II		44 to 59 (daily)
(2nd or 3rd shift)		
Registered Nurse II (Cook County)		45 to 60 (daily)
Registered Nurse II (Cook County -		47 to 62 (daily)
2nd or 3rd shift)		
Social Worker II		35 to 75 (daily)
Social Worker III		35 to 80 (daily)
Student Worker		4.25 to 8.00 (hourly)
Tax Examiner		9.69 to 12.21 (hourly)
		73 to 92 (daily)

(Source: Emergency amendment at 20 Ill. Reg. ~~4060~~ **4068**, effective February 27, 1996, for a maximum of 150 days)

Technical Advisor II 32 to 35 (hourly)  
 Technical Advisor III 32 to 60 (hourly)  
 Technical Advisor IV 50 to 80 (hourly)  
 Veterinarian II 95 to 130 (daily)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF EMERGENCY AMENDMENT

## DEPARTMENT OF PUBLIC AID

NOTICE OF RESPONSE TO RECOMMENDATIONS  
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

1) Heading of the Part: Long Term Care Reimbursement Changes

2) Code Citation: 89 Ill. Adm. Code 153

3) Section Number:                   Proposed Action:  
153.100                                   Amendment

4) Notice of Proposed Amendments Published in the Illinois Register:   July 14, 1995 (19 Ill. Reg. 9383)

5) JCAR Statement of Recommendations to Proposed Amendments Published in the Illinois Register: November 27, 1995 (19 Ill. Reg. 15853)

6) Summary of Action Taken by the Agency: At its meeting on November 14, 1995, the Joint Committee on Administrative Rules issued two recommendations concerning the Department's proposed amendments to "Long Term Care Reimbursement Changes" (89 Ill. Adm. Code 153). The amendments were proposed on July 14, 1995, and appeared in the Illinois Register at 19 Ill. Reg. 9383. The Joint Committee's recommendations specifically address changes that were made in the proposed amendments when they were submitted for the Joint Committee's review, following the public comment period.

The Joint Committee first recommends that the Department seek legislation amending the Illinois Public Aid Code to specifically authorize reasonable exceptions to the statutory reimbursement rate freeze. Secondly, the Joint Committee recommends that the Department "refrain from introducing, at Second Notice, substantive changes not directly related to the original proposed rulemaking, thus circumventing public notice and opportunity for public comment requirements of the Illinois Administrative Procedure Act."

1. In response to the first recommendation, the Department believes that the authority currently provided in the Illinois Public Aid Code as amended by Public Act 89-21 for the reimbursement rate freeze is adequate and does not need to be expanded to specifically authorize reasonable exceptions. The authority to impose a rate freeze must implicitly include the authority to apply the freeze in a reasonable manner.

These reasonable exceptions, which have also been included in previous versions of the rules in previous years, include changes in the resident population, facility ownership changes, changes necessitated by significant capital improvements, the opening of new facilities, and the emergence of cost related circumstances which were previously unanticipated by the Department. The Department's authority to impose a rate freeze must implicitly include the ability to respond to these types of changes and needs in the long term care provider

## DEPARTMENT OF PUBLIC AID

NOTICE OF RESPONSE TO RECOMMENDATIONS  
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

community.

While the Department does not believe that the recommended legislative change is necessary, it would not oppose such a change to clarify its authority.

2. The second recommendation is more general in nature. It addresses the limits of the changes which may be made in a proposed rulemaking following the public comment period. The Department believes that the changes made in this case were appropriate because all affected persons could have reasonably anticipated the changes on the basis of the notice of proposed rulemaking. Although the Joint Committee's recommendation characterizes the changes as "substantive" and seems to imply that no substantive changes may be made in a proposed rulemaking, the Department believes that such an interpretation of the Illinois Administrative Procedure Act is unnecessarily narrow and unduly restrictive.

The Joint Committee's recommendation specifically mentions the addition of an add-on payment to facilities for emergency dental services. This addition was made on the basis of suggestions and discussions with long term care providers and associations who pointed out that the freeze did not make any allowance for the elimination of direct payments for dental services which was effective in July 1995.

It is clear that commenters anticipated from the notice of proposed rulemaking that the reimbursement freeze requirements included the type of adjustment suggested. The Department does not believe that this specific change, or any of the other changes made in the proposed rulemaking, had the effect of circumventing the public's opportunity to comment.

The Department will continue to make sure that any changes in its proposed rulemaking during the rulemaking process are within the scope of the notice of proposed rulemaking. The Department believes that this response complies with the intent of the Joint Committee's recommendation.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

## ILLINOIS GAMING BOARD

Heading of the Part: Riverboat GamblingCode Citation: 86 Ill Adm Code 3000Section Numbers: 3000.636Date Originally Published in the Illinois Register: 6/9/95  
19 Ill Reg 7490

At its meeting on February 20, 1996, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that after the Board has some experience with authorizing the use of complimentary chips and tokens, it amend Section 3000.636(a)(2) to set forth the standards by which it will consistently determine that the dollar value of complimentary chips or tokens is not excessive.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

## DEPARTMENT OF HUMAN RIGHTS

Heading of the Part: ProceduralCode Citation: 56 Ill Adm Code 2520Section Numbers: 2520.577Date Originally Published in the Illinois Register: 11/13/95  
19 Ill Reg 15319

At its meeting on February 20, 1996, the Joint Committee on Administrative Rules objected to Section 2520.577 of the above cited rulemaking because a complainant is not guaranteed that the attorney who was assigned to the original complaint will not be assigned to the complainant's request for review of that decision, contrary to the adequacy and propriety requirements of Section 5-100(a) of the Illinois Administrative Procedure Act.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed to be a refusal to respond under the Administrative Procedure Act and shall constitute withdrawal of this proposed rulemaking.



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

DEPARTMENT OF PUBLIC AID

Heading of the Part: Demonstration ProgramsCode Citation: 89 Ill Adm Code 170Section Numbers: 170.400Date Originally Published in the Illinois Register: 11/17/95

19 Ill Reg 15572

At its meeting on February 20, 1996, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that DPA seek an amendment to Section 11-6.2 of the Illinois Public Aid Code that continues the Illinois Retinal Identification System demonstration project for 3 years, rather than the 12 months that Public Act 88-554 currently stipulates.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION TO  
PEREMPTORY RULEMAKING

DEPARTMENT OF PUBLIC AID

Heading of the Part: Food StampsCode Citation: 89 Ill Adm Code 121Date Originally Published in the Illinois Register: 2/2/96

20 Ill Reg 2229

At its meeting on February 20, 1996, the Joint Committee on Administrative Rules objected to the peremptory rules of the Department of Public Aid entitled Food Stamps (89 Ill Adm Code 121, 20 Ill Reg 02229), because DPA violated Section 5-50 of the Illinois Administrative Procedure Act by failing to file the peremptory rule with the Administrative Code Division within 30 days after the rule was required by federal law.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

## DEPARTMENT OF REVENUE

Heading of the Part: Property Tax CodeCode Citation: 86 Ill Adm Code 110Section Numbers: 110.195Date Originally Published in the Illinois Register: 3/3/95  
19 Ill Reg 2394

At its meeting on February 20, 1996, the Joint Committee on Administrative Rules objected the above cited rulemaking because the rulemaking provides that county assessment officers may verify information provided on applications for the Senior Citizens Assessment Freeze Homestead Exemption, rather than prescribing procedures by which the Department of Revenue will conduct the verification, as is intended by Section 15-172(c) of the Property Tax Code.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed to be a refusal to respond under the Administrative Procedure Act and shall constitute withdrawal of this proposed rulemaking.

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NOTICE OF FAILURE TO REMEDY

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

1) Heading of the Part: State Administration of the Federal Community Services Block Grant Program2) Code Citation: 47 Ill Adm Code 1203) Section Numbers: 120.50      Action: Refusal to Modify in response to JCAR Objection4) Notice of Proposal Published in Illinois Register: 9/22/955) Date JCAR issued Statement of Objection: 12/12/956) Summary of Action taken by the Agency: The Committee objected because DCCA exceeded its statutory authority in requiring Community Action Agencies (CAAs) to maintain an administrative staff. The Department maintained that it had been directed through a federal bulletin to require CAAs administering CSBGs to maintain a centralized office and staff. DCCA further stated that it had granted an exemption to the requirement for a specified administrative arrangement to the one CAA that would, at this time, be adversely impacted. The Department responded to the Objection on 2/8/96, declining to modify the rulemaking.7) JCAR action: At the 2/20/96 meeting, JCAR determined that the agency failed to substantiate that this rulemaking was based on a federal requirement and that the response failed to remedy the Objection. This Notice of Failure to Remedy the situation that gave rise to the Objection is published in accordance with 1 Ill Adm Code 220.1300.

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NOTICE OF FAILURE TO REMEDY

## DEPARTMENT OF PROFESSIONAL REGULATION

- 1) Heading of the Part: Private Detective, Private Alarm and Private Security Act of 1993

- 2) Code Citation: 68 Ill Adm Code 1240

- 3) Section Numbers: 1240.5 1240.7 Action: Refusal to modify in response to JCAR Objection  
 1240.10 1240.15 1240.16  
 1240.20 1240.25 1240.30  
 1240.35 1240.40 1240.41  
 1240.45 1240.46 1240.47  
 1240.48 1240.50 1240.51  
 1240.55 1240.60 1240.65  
 1240.66 1240.70

- 4) Notice of Proposal published in Illinois Register: 9/22/95

- 5) Date JCAR issued Statement of Objection: 12/12/95

- 6) Summary of Action taken by the Agency: The Committee objected because the rulemaking violates the intent of the authorizing statute [225 ILCS 446/80] that an applicant for employee licensure can be scheduled for work as soon as "an application for a permanent employee recertification card, including the required fingerprint card and fees" is submitted to DPR. This rulemaking's reliance on livescan fingerprinting can cause as much as a 10 day delay in the submission of fingerprints. The delay in the ability to be scheduled for work that will be caused by a delay in fingerprinting is clearly not contemplated by this statute. The Department responded on 1/13/96 refusing to modify the rulemaking.

- 7) JCAR action: At the 2/20/96 meeting, JCAR determined that the response failed to remedy the Objection. This Notice of the failure to remedy the situation that gave rise to the Objection is published in accordance with 1 Ill Adm Code 220.1300.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of February 20, 1996 through February 26, 1996 and have been scheduled for review by the Committee at its March 26, 1996 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
4/5/96	Department of Insurance, Surplus Line Business Requirements (50 Ill Adm Code 2801)	10/13/95 19 Ill Reg 14232	3/26/96
4/6/96	Department of Mental Health and Developmental Disabilities, Recipient Rights (59 Ill Adm Code 111)	9/29/95 19 Ill Reg 13487	3/26/96
4/7/96	State Board of Education, Public Schools Evaluation, Recognition and Supervision (23 Ill Adm Code 1)	12/15/95 19 Ill Reg 16403	3/26/96
4/10/96	Department of Transportation, Specifications for Packagings (92 Ill Adm Code 178)	12/29/95 19 Ill Reg 16918	3/26/96
4/10/96	Department of Transportation, Shippers General Requirements for Shipments and Packagings (92 Ill Adm Code 173)	12/29/95 19 Ill Reg 16912	3/26/96
4/10/96	Department of Transportation, Hazardous Materials Table and Hazardous Materials Communications (92 Ill Adm Code 172)	12/29/95 19 Ill Reg 16900	3/26/96
4/10/96	Department of Transportation, Continuing Qualification and Maintenance of Packaging (92 Ill Adm Code 180)	12/29/95 19 Ill Reg 16885	3/26/96



## PROCLAMATIONS

96-050

## ILLINI HOCKEY CLUB DAY

Whereas, the Illini Hockey Club was formed at the University of Illinois at Urbana-Champaign during the late 1950's; and

Whereas, the Illini Hockey Club continued the short but great tradition of varsity ice hockey at the University of Illinois that included a national collegiate championship during the 1940's; and

Whereas, the club has been operated and administered for nearly 40 years exclusively on a volunteer basis by students, faculty, staff and alumni of the university; and

Whereas, club members play without the luxury of athletic scholarships and are -- in the best sense of the term -- student athletes; and

Whereas, the members of the Illini Hockey Club strive year after year to elevate their play to high levels and to bring the best competition from across the country to the University Ice Arena; and

Whereas, the Illini Hockey Club is a shining example of student athletics on an Illinois college campus; and

Whereas, the Illini Hockey Club has scheduled its first annual Alumni Weekend during February 1996 and will enshrine several members from past teams in a new "hall of fame;"

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 3, 1996, as *ILLINI HOCKEY CLUB DAY* in Illinois.

Issued by the Governor February 1, 1996.

Filed by the Secretary of State February 9, 1996.

96-051

## AFRICAN AMERICAN HISTORY MONTH

Whereas, Dr. Carter G. Woodson, coal miner, teacher and author, founded the Association for the study of Afro-American Life and History, Inc., in 1915 in Chicago; and

Whereas, Dr. Woodson also initiated Negro History Week in 1926 to recognize the past and present contributions made by African Americans in the development of our city and country; and

Whereas, African American History Month will be commemorated throughout the month of February in Chicago with seminars, storytelling, plays, concerts, music, dancing, art, films, family workshops, and other expressions of creativity and pride; and

Whereas, Dr. Woodson's dream for the association was to achieve sociological and historical data, publish books, promote the study of Black History through clubs and schools, and encourage racial harmony; and

Whereas, African American History inspires all Americans to be more aware of African Americans and their experiences and achievements in every area or endeavor;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 1996 as *AFRICAN AMERICAN HISTORY MONTH* in Illinois and urge all citizens to be cognizant of the events arranged both this month and every day of the year.

Issued by the Governor February 2, 1996.

Filed by the Secretary of State February 9, 1996.

96-052

## EVELINA B. MARTINEZ DAY

Whereas, Evelina B. Martinez began her career at Honeywell, Inc., in 1970 as a TMX operator; and

Whereas, "Evy" has devoted her 25 years of service to Honeywell, Inc., by ensuring the smooth operation of the Chicago South Office; and

Whereas, Evy has continued to exhibit the dedication, loyalty, and ability to do seven things at once in multiple locations, all with characteristic charm, grace, and a million-dollar smile; and

Whereas, Honeywell, Inc., is losing a valuable employee;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 2, 1996, as *EVELINA B. MARTINEZ DAY* in Illinois in honor of her dedicated service to Honeywell.

Issued by the Governor February 2, 1996.

Filed by the Secretary of State February 9, 1996.

96-053

## ILLINOIS ASSOCIATION OF JUNIOR HIGH STUDENT COUNCILS WEEK

Whereas, the Illinois Association of Junior High Student Councils is an organization of more than 160 public and private junior high, middle, and elementary schools throughout the state; and

Whereas, the IAJHSC is holding its 37th State Convention in Collinsville, Illinois; and

Whereas, this year's theme, "Plant a Garden of Leadership" represents an annual theme taken on by student leaders to signify their dedication to student empowerment and success; and

Whereas, student representatives also take part in an official State Service Project, which this year is the Juvenile Neuronal Ceroid Lipofuscinosis Research Fund; and

Whereas, last year, the IAJHSC raised more than \$27,000 for the Illinois Affiliate of the Immune Deficiency Foundation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 14-20, 1996, as *ILLINOIS ASSOCIATION OF JUNIOR HIGH STUDENT COUNCILS WEEK* in Illinois and offer my best wishes for continued success.

Issued by the Governor February 2, 1996.

Filed by the Secretary of State February 9, 1996.

96-054

## ILLINOIS WOMEN'S BOWLING ASSOCIATION WEEK

Whereas, the Springfield Women's Bowling Association has been chosen to be the host city for the 67th Annual State Meeting of the Illinois Women's Bowling Association; and

Whereas, bowlers from all over the State of Illinois will be coming to participate in the tournament beginning with the opening ceremonies February 3, 1996; and

Whereas, the Illinois Women's Bowling Association has dedicated itself to better bowling and the continuous improvements in all phases of bowling; and

Whereas, these women are dedicated to help all youth bowlers and to promote bowling in every way;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 18-24, 1996, as *ILLINOIS WOMEN'S BOWLING ASSOCIATION WEEK* in Illinois.

Issued by the Governor February 2, 1996.

Filed by the Secretary of State February 9, 1996.

#### 96-055

##### LAND SURVEYORS' MONTH

Whereas, land surveying is one of the oldest technical services of mankind and our complex civilization depends more and more on surveyors' skills and accuracy to determine property rights and methods of design and construction; and

Whereas, the surveying skills of George Washington, the Commander-in-Chief of our Revolutionary Forces, may have had considerable influence on the winning of our national independence since Washington, a land surveyor before the war, directed the planning of military operations and selected the battle sites; and

Whereas, more than 80 years later when the states were threatened by a cruel division, another great president and former surveyor, Abraham Lincoln, was recognized as the "Savior of Our Country" after directing the campaigns that preserved our nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 1996 as *LAND SURVEYORS' MONTH* in Illinois in recognition of the two "Land Surveyor Presidents," George Washington and Abraham Lincoln, whose birthdays are observed this month.

Issued by the Governor February 2, 1996.

Filed by the Secretary of State February 9, 1996.

#### 96-056

##### AURORA LAMPLIGHTERS CHORUS COMMENDED

Whereas, the Aurora Lamplighters Chorus was chartered in 1946 as an official and licensed unit of the International Barbershop Society; and

Whereas, throughout the years, this group has been active in the affairs and progress of the City of Aurora; and

Whereas, this chorus appears frequently before community, civic, religious and healthcare audiences and performs an annual Barbershop Revue which has been staged at the Paramount Arts Centre and local high schools; and

Whereas, the Aurora Lamplighters Chorus is part of a larger Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America (SPERQSQA), whose membership of more than 34,000 in the United States represents the world's largest all-male singing society; and

Whereas, the Aurora Lamplighters Chorus is celebrating its 50th anniversary in 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, commend the Aurora Lamplighters Chorus on their milestone and offer my best wishes for continued success on behalf of the citizens of this state.

Issued by the Governor February 5, 1996.

Filed by the Secretary of State February 9, 1996.

#### 96-057

##### INDUSTRIAL DISTRIBUTION DAY

Whereas, the American Supply and Machinery Manufacturers' Association and the Industrial Distribution Association have collaborated for 90 years to build the industrial distribution channel into the most efficient and cost-effective means of moving products from the manufacturer to the industrial end-user customer; and

Whereas, industrial customers benefit from total lowest costs of procurement, accurate and on-time deliveries, reliable and measurable service, top-line MRO products, local inventory, long-term partnerships, and commitment to service quality, all of which are provided by their industrial distributors; and

Whereas, the American Supply and Machinery Manufacturers' Association and the Industrial Distribution Association seek to foster a true partnership among manufacturers, distributors, and industrial end-users by cosponsoring National Manufacturing Week, the largest and most comprehensive forum for the display of industry technology in North America; and

Whereas, National Manufacturing Week is to be held at McCormick Place in Chicago on March 18-21, 1996; and

Whereas, representatives from all areas of the manufacturing industry will attend this forum, including division and corporate management, sales and marketing executives, purchasing agents, and key engineering personnel; and

Whereas, more than 2,000 exhibitors will display hundreds of new industrial products, services, and technologies to provide manufacturing professionals with the newest knowledge and skills; and

Whereas, educational and teaching seminars addressing issues of concern to manufacturing industry professionals will be held in conjunction with the forum;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim, March 19, 1996, as *INDUSTRIAL DISTRIBUTION DAY* in Illinois in recognition of our state's preeminent role as the center of American manufacturing.

Issued by the Governor February 5, 1996.

Filed by the Secretary of State February 9, 1996.

#### 96-058

##### LULAC WEEK

Whereas, the League of United Latin American Citizens (LULAC), was founded in Corpus Christi, Texas, in 1929 and is the largest and oldest Hispanic civil rights organization in the country; and

Whereas, since its inception, LULAC has vigorously addressed the many complex issues affecting the Hispanic position on education, employment training, economic development and civil rights; and

Whereas, LULAC has developed and implemented programs for the improvement of the community. In addition, the LULAC National Education Service Center provides guidance and financial support to Hispanic youths in their quest for higher education; and

Whereas, LULAC adopted the "Commitment with America" as its national policy to counter anti-immigrant sentiments, prevent abuse to its citizenry, promote access to quality education for its youth, and aggressively implement a voter education/registration program in communities to ensure increased

Hispanic participation of in the American way of life; and

Whereas, this year, the League of United Latin American Citizens will celebrate its 67th anniversary of community service;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 11-17, 1996, as **LULAC WEEK** in Illinois in honor of the organization's 67th anniversary and in recognition of the contributions that LULAC has made to Hispanic citizens nationwide.

Issued by the Governor February 5, 1996.

Filed by the Secretary of State February 9, 1996.

#### 96-059

#### FOUR CHAPLAINS SUNDAY

Whereas, one of the most inspiring acts of heroism in World War II will be commemorated on February 4th, the 53rd anniversary of the historic occasion of "Four Chaplains Sunday;" and

Whereas, in a final act of love and dedication, four chaplains representing the Methodist, Roman Catholic, Jewish and Dutch Reformed faiths, gave their own life jackets, the only ones that remained, to four fearful American servicemen and directed the young soldiers to lifeboats; and

Whereas, the four United States Army chaplains then sank with the torpedoed U.S.S. Dorchester in the North Atlantic, with their arms linked about each other while they prayed together; and

Whereas, each year, a memorial program is sponsored by the Combined Veterans Association of Illinois and this year, hosted by the Disabled Veterans Department of Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 4, 1996, as **FOUR CHAPLAINS SUNDAY** in Illinois in an effort to perpetuate the memory of these men who so convincingly demonstrated their boundless love for others.

Issued by the Governor February 6, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-060

#### SCHOOL PSYCHOLOGISTS ASSOCIATION WEEK

Whereas, for more than 40 years, Illinois has been recognized as a leader in providing school programs and services for children with physical, mental, emotional, or educational problems; and

Whereas, Illinois school psychologists have demonstrated their concern for children's rights to free and appropriate public education tailored to their individual capabilities; and

Whereas, the school psychology profession and the Illinois School Psychologists Association have dedicated their efforts to serving the mental health and educational needs of all children;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 18-24, 1996, as **SCHOOL PSYCHOLOGISTS ASSOCIATION WEEK** in Illinois and commend the school psychology professionals on their dedication to the health and well-being of our students.

Issued by the Governor February 6, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-061

#### BLANCH WADE SOUTHE DAY

Whereas, Blanch Wade Southe was born on February 15, 1896; and

Whereas, she is the daughter of Elizabeth Height and John Wade; and

Whereas, she was married to Levi I. Southe, a 2nd Lieutenant who fought in France during World War I; and

Whereas, she is the mother of 2 children, 5 grandchildren and 6 great-grandchildren; and

Whereas, Southe, a long-time resident of Chicago, worked as a beautician before retiring; and

Whereas, it is right and proper to commemorate her 100th birthday;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 15, 1996, as **BLANCH WADE SOUTHE DAY** in Illinois and offer my best wishes for many more years of prosperity.

Issued by the Governor February 8, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-062

#### BLOCK-KIDS OF ILLINOIS MONTH

Whereas, Block-Kids of Illinois is a nationally sponsored competition for children in grades one through six whose purpose is to educate children about the construction industry and promote interest in careers in construction, engineering, and architecture among others; and

Whereas, "Block-Kids" is sponsored by the National Association of Women in Construction and was initiated as a career awareness program for elementary school children; and

Whereas, today's elementary school children are the industry's future work force of the future and we must build now to cultivate their interest; and

Whereas, "Block Kids" exposes children to the thrills of building and instills in them a sense of pride in accomplishment;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 1996 as **BLOCK-KIDS OF ILLINOIS MONTH** in Illinois.

Issued by the Governor February 8, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-063

#### FFA WEEK

Whereas, agriculture, Illinois' largest and most productive industry, is vital to the future progress and prosperity of our state; and

Whereas, Future Farmers of America (FFA) makes a difference in the lives of student by developing their potential for premier leadership, personal growth, and career success through agricultural education; and

Whereas, the National FFA adopted "FFA-Leadership for a Lifetime," as its national theme in order to maintain the focus of the organization; and

Whereas, the future lies in the hands of a new generation of agriculturists as more than 13,500 FFA members prepare for careers in agriculture; and

Whereas, millions of Americans, both rural and urban, have benefited from the efforts of the FFA, and today thousands of young people are developing the



leadership to meet future challenges in agriculture;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 17-24, 1996, as *FFA WEEK* in Illinois.

Issued by the Governor February 7, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-064

##### **FUTURE BUSINESS LEADERS OF AMERICA--PHI BETA LAMBDA WEEK**

Whereas, Americans depend upon the business leaders of our country to promote future growth and progress of the United States economy and to assure continuing prosperity for the entire nation; and

Whereas, the Future Business Leaders of America organization is actively training young people to assume positions of leadership and responsibility in business and industry, as well as teaching young people the value and benefits of being actively involved in community service projects; and

Whereas, there are approximately 3,500 Future Business Leaders of America--Phi Beta Lambda members in Illinois from 88 high schools and 15 colleges, and approximately 250,000 members nationwide; and

Whereas, the Future Business Leaders of America organization continues to demonstrate their effectiveness in producing young people who are competent leaders committed not only to sustaining the American free enterprise system but also to expanding and improving upon it;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 11-17, 1996, as *FUTURE BUSINESS LEADERS OF AMERICA--PHI BETA LAMBDA WEEK* in Illinois.

Issued by the Governor February 8, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-065

##### **LITHUANIAN INDEPENDENCE DAY**

Whereas, Lithuania's history as a nation dates back to the 13th century;

and

Whereas, Lithuania has courageously struggled for independence; and

Whereas, Lithuanian Americans have played a significant role in the progress of Illinois and have proudly shared their culture, heritage and talents with our state; and

Whereas, we are grateful for their contributions to our state and its citizens; and

Whereas, many events are planned to commemorate the 78th anniversary of Lithuania's independence;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 18, 1996, as *LITHUANIAN INDEPENDENCE DAY* in Illinois.

Issued by the Governor February 8, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-066

##### **NAACP DAY**

Whereas, the National Association for the Advancement of Colored People

(NAACP) is one of the oldest civil rights organizations in the country and was organized following the 1908 Race Riots in Springfield, Illinois; and

Whereas, it was formed after a call to all Americans to attend a meeting that was scheduled on the 100th birthday celebration of Abraham Lincoln, "The Great Emancipator;" and

Whereas, the NAACP has a goal to seek an end to racial segregation and other forms of discrimination in all public aspects of American life; and

Whereas, the NAACP has pursued these goals through the courts, through the enactment of federal, state and local civil rights laws and through educational and direct action programs; and

Whereas, the NAACP has been in the forefront of the struggle for the basic freedoms that are the birthrights of all Americans and has achieved great success; and

Whereas, the Springfield Branch of the NAACP is celebrating the 75th Diamond Jubilee Anniversary of the Lincoln-Douglass Banquet on February 11;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 11, 1996, as *NAACP DAY* in Illinois in honor of the commendable achievements of the organization and in celebration of the 75th anniversary of the Lincoln-Douglass Banquet.

Issued by the Governor February 8, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-067

##### **NATURAL RESOURCES STEWARDSHIP MONTH**

Whereas, Illinois is blessed with outstanding natural, cultural and historical resources; and

Whereas, the 11.5 million people who make up Illinois' population depend on this state's resources for recreation and quality of life; and

Whereas, nearly 38 million people visited public sites throughout Illinois, and those sites encompass more than 400,000 acres; and

Whereas, Illinois needs to take care of its precious resources on private as well as public land; and

Whereas, we must make all Illinois citizens aware of our natural resources and encourage them to actively work for their enhancement; and

Whereas, Conservation Congress, Illinois' constituency-based advisory body, continues to emphasize the importance of educating the public about all of Illinois' resources and the importance of caring for them properly;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1996 as *NATURAL RESOURCES STEWARDSHIP MONTH* in Illinois and urge all citizens to increase their understanding and appreciation of the environment and to make efforts to improve the world around them.

Issued by the Governor February 8, 1996.

Filed by the Secretary of State February 15, 1996.

#### 96-068

##### **RED CLOUD ATHLETIC FUND DAY**

Whereas, this is the 31st Annual Sports Banquet sponsored by the Red Cloud Athletic Fund; and

Whereas, the Red Cloud Athletic Fund is an organization dedicated to the children of the Red Cloud Indian School on the Pine Ridge Reservation in Pine

Ridge, South Dakota; and

Whereas, the Red Cloud Athletic Fund raises funds to support the athletic program at Red Cloud Indian School; and

Whereas, the mission of the Red Cloud Athletic Fund has been to insure that the children at the Red Cloud Indian School would always have an exceptional athletic program for young men and women of Sioux Indian descent; and

Whereas, the Red Cloud Athletic Fund has been successful in all its endeavors and has achieved national recognition;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 12, 1996, as **RED CLOUD ATHLETIC FUND DAY** in Illinois in recognition of the hard work, dedication and dauntless spirit of the many Native American citizens of this country.

Issued by the Governor February 8, 1996.

Filed by the Secretary of State February 15, 1996.

96-069

LESTER H. MCKEEVER, JR. DAY

Whereas, Lester H. McKeever, Jr. has served as the Managing Partner of Washington, Pittman & McKeever, the oldest African American accounting firm in the country; and

Whereas, he has quietly and effectively devoted his life to helping others help themselves and has further given the best of himself for the collective good of Chicago and its people; and

Whereas, he also serves as President of Associates Racing Association, Corporate Secretary of both Maywood Trotting Association and Egyptian Trotting Association, and Chairman of Harness Tracks of America; and

Whereas, his contributions have assisted various business, civic and professional organizations, having served on the Federal Reserve Bank of Chicago Board of Directors, the corporate boards of MBIA Insurance Corporation of Illinois and Worldwide Broadcasting, Inc., among many others; and

Whereas, Lester H. McKeever, Jr. is being honored as the Humanitarian of the Year by the Abraham Lincoln Centre;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 14, 1996, as **LESTER H. MCKEEVER, JR. DAY** in Illinois in honor of his hard work and dedication and offer my best wishes for continued success on behalf of the citizens of this state.

Issued by the Governor February 13, 1996.

Filed by the Secretary of State February 23, 1996.

96-070

ESTONIAN DAY

Whereas, Estonia gained its independence on February 24, 1918; and

Whereas, Estonia's independence lasted into the 1940s, when the former Soviet Union occupied Estonia; and

Whereas, Estonia regained its freedom and became an independent republic in August of 1991; and

Whereas, Estonian-Americans are exemplary citizens who still preserve their traditions, take pride in their history of freedom, and believe in equality and human rights; and

Whereas, Chicago enjoys one of the largest Estonian communities in the United States;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 25, 1996, as **ESTONIAN DAY** in Illinois in recognition of the 78th anniversary of Estonia's independence.

Issued by the Governor February 20, 1996.

Filed by the Secretary of State February 23, 1996.

96-071

HEALTHY CHOICES FOR THE 90s WEEK/MEDICAL ASSISTANTS WEEK

Whereas, the health of all our citizens is directly affected by the many professional medical assistants who support and assist physicians in rendering life-saving services; and

Whereas, many medical assistants seek to maintain the highest standards of professional excellence by taking advantage of educational programs offered by professional organizations such as the American Association of Medical Assistants. This involvement ensures that our citizens receive the best medical care possible; and

Whereas, we should commend the dedication of those in medical fields who seek to upgrade their profession and improve their careers as valuable members of medical teams;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 19-26, 1996, as **HEALTHY CHOICES FOR THE 90s WEEK** in Illinois in honor of the Illinois Society of Medical Assistants' 40th Annual Convention and proclaim October 14-18, 1996, as **MEDICAL ASSISTANTS WEEK** in Illinois.

Issued by the Governor February 20, 1996.

Filed by the Secretary of State February 23, 1996.

96-072

MCHENRY COUNTY HOUSING AUTHORITY/90 DAY REFERENDUM NOTICE

Whereas, the McHenry County Housing Authority desires to provide Hospital Insurance (Medicare) coverage for its employees not mandatorily covered for Hospital Insurance pursuant to Public Law 99-272 and pursuant to Public Law 101-508; and

Whereas, a referendum must be conducted in accordance with the Federal Social Security Act and Illinois Pension Code, Article 21, as amended, which requires that each eligible employee who is a participant in the Housing Authority's retirement plan be given the opportunity to register his/her personal choice by written ballot as to whether he/she elects Hospital Insurance coverage; and

Whereas, the referendum procedure requires that each eligible employee shall be given a detailed description of the two choices available to him/her and allowed 90 days notice prior to the exercise of his/her right to choose; and

Whereas, I HEREBY designate the Executive Secretary of the State Employees' Retirement System and the Executive Director of the McHenry County Housing Authority as the officials who are jointly responsible for the distribution of the details of the proclamation pursuant to the provisions of the Federal Social Security Act and the Illinois Pension Code, Article 21, as amended. I hereby confer upon such officials the authority: to jointly certify

the results of the referendum to be conducted as herein proclaimed among themselves; and to delegate such other duties to others as they shall deem appropriate;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim a period of at least 90 days notice between the dates of February 21, 1996, and May 20, 1996, to eligible employees of McHenry County Housing Authority that their choice shall be expressed by written ballot in conformity with the referendum procedure under the Federal Social Security Act and the Illinois Pension Code. The ballots shall be returned to the Executive Director of the McHenry County Housing Authority and the referendum concluded not later than May 21, 1996.

Issued by the Governor February 20, 1996.

Filed by the Secretary of State February 23, 1996.

#### 96-073

#### WORLD DAY FOR CHILDREN

Whereas, the World Federation of Tamil Youth, Inc. is a non-profit organization established to channel the energies of youth to constructive purposes and also to instill a sense of pride in our second generation Tamil Youth residing in the United States; and

Whereas, the Federation has unanimously resolved to honor Dr. J. Javalalitha; and

Whereas, Dr. Javalalitha, the first lady Chief Minister of Tamilnado, India, will celebrate her 48th birthday on February 24, 1996; and

Whereas, the Federation has unanimously resolved to celebrate the 48th birthday as World Day for Children in 48 countries; and

Whereas, Dr. Javalalitha created history by implementing a model 15 point program for child welfare and the innovative Cradle Baby Scheme; and

Whereas, University of Illinois College of Medicine at Chicago recently honored Dr. Javalalitha with a membership in the UIC College of Medicine Alumni Association in recognition of her child welfare programs; and

Whereas, Chicago-based South Asian Family Services, Inc. elected her as the 1995 International Woman of the Year;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 24, 1996, as *WORLD DAY FOR CHILDREN* in Illinois in honor of Dr. J. Javalalitha's historic achievements and unparalleled leadership.

Issued by the Governor February 20, 1996.

Filed by the Secretary of State February 23, 1996.

Rules acted upon during the quarter of January 1 through March 31, 1996 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 952 published in Issue 2 will be listed as 50-952-2. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or [jnatale@ccgate.sos.state.il.us](mailto:jnatale@ccgate.sos.state.il.us) (Internet address).

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